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R E M A R K S

ON THE
I N F L U E N C E
O F

CLIMATE, POPULATION,
SITUATION, NATURE OF FOOD, AND
NATURE OF COUNTRY, WAY OF LIFE,

ON THE
*Disposition and Temper, Manners and Behaviour,
Intellects, Laws and Customs, Form
of Government, and Religion,*

O F
M A N K I N D.

By WILLIAM FALCONER, M.D.F.R.S.

L O N D O N:
PRINTED FOR C. DILLY, IN THE POULTRY.

M.DCC.LXXXI.

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R E M A R K S

ON THE

I N F L U E N C E

OF

CLIMATE
ON THE
MANNER OF CULTIVATING THE
ARTS AND MANUFACTURES

IN THE
WEST INDIES
AND
THE
MIDDLE STATES OF AMERICA

OF

M A N I N D

BY WILLIAM HARRISON, M.D.



LONDON:

PRINTED FOR C. DILLY, IN THE ROYAL

PRINTING OFFICE

P R E F A C E.

TH E subject of the ensuing Book, though it has been casually touched by several writers of eminence, has not been particularly considered in any separate work with which I am acquainted. This circumstance, as well as the importance of the subject, has encouraged me to attempt some account of the principles productive or explanatory of those effects usually attributed to Climate, Situation, &c. upon Mankind. How far I may have succeeded, is not for me to determine. I must, however, beg the Reader will consider the Title, previous to the perusal of the Work; and that I do not give it the name of a Treatise, or Essay, but of Re-

marks only ; as I would by no means have it understood, that I wish to give it out as a complete discussion of the subject, but only as a collection of such Observations as occurred to me on considering it. I am fully sensible I have advanced very few steps in explaining a subject so copious ; but still hope that my labours may not be entirely in vain, if they excite the attempts of those whose abilities and capacity enable them to throw farther light on an object of such importance, both in moral philosophy and politics.

I must beg leave to take notice of a general mistake, which appears to me to have pervaded the works of every writer upon this subject ; which is, the making their positions too universal.

The Effects of Climate, &c. are all of them general, and not particular ; and if a considerable majority of the nations, as well as the individuals, that live under a certain climate, are affected in a certain manner, we may pronounce decisively on its influence, even though there

there may be some exceptions. It must likewise be taken into consideration, that the influence of one of the above causes often corrects the other. Thus a hot climate naturally renders men timid and slothful; but the necessity induced by a barren country, number of inhabitants, animal diet, and a savage way of life, may, any of them, correct this tendency of the climate, and dispose the manners to a different turn.

The Chinese inhabit a hot climate, and are probably naturally disposed to be indolent and slothful; but the number of the people being very great, necessity compels them to labour, and thus overpowers the natural tendency of heat. A hot climate, by increasing the sensibility, tends to make men cruel and revengeful; but the inhabitants of the East Indian continent are mild, tender, and forgiving, and yet inhabit a hot country. The vegetable diet on which these people live, in this instance counteracts the effects of climate. In Japan, and the other East Indian islands, where the people use animal diet, they are cruel and revengeful, similar to the effects before mentioned of a hot temperature.

perature. But the effect of climate, in these instances, is not suppressed, but overpowered; it still exists, but its effect is not discernible: remove the impediment to its action, and it immediately exerts itself, as in the instance last mentioned. The effects of each of the causes here described, when combined together, overpower, temper, and modify one another in many instances; but have each of them a separate existence and action, however they may concur with one another in the general effect.

Like the mechanic powers, they may be variously combined, and frequently produce an effect different from what any of them would have caused separately; but still their specific action remains, though its inferior force renders it imperceptible to our examination. A weight in a scale is not deprived of gravity, because it does not preponderate against one superior in that respect.

I must beg the reader will not understand that I would insinuate, that the causes I have here mentioned

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tioned are the whole of those physical causes that influence mankind in the particulars mentioned in the Title; I am fully satisfied that they may be but a small part, but at the same time believe them to be among the most powerful and important.

ERRATA.

E R R A T A.

PAGE 1. line 5. r. *abortive* also.—P. 8. l. 2 ab imo, dele the , after *transient*, and place it after *only*.—P. 14. l. 16. for *is* r. *being*.—P. 21. l. 23. r. *subsequent* one.—P. 23. l. 8 ab imo, for *former* r. *latter*.—P. 27. l. 15 ab imo, r. *superior* to.—P. 28. l. 20. the reference to Strabo should be placed at the bottom of the page.—P. 31. l. 13, 14. dele the , after *Carthage*, and place it after *formerly*.—P. 38. l. 3 ab imo, for *are* r. *being*.—P. 40. l. 5. r. *it* is a general observation.—P. 42. l. 7. after *people* r. *to be more refined and civilized*.—P. 44. l. 18. r. *animadverted* on.—P. 57. l. 3 ab imo, place a period after *hot climates*, and a comma after *historians*, l. 2.—P. 95. note †, r. *de vulneribus*.—P. 98. l. 14. r. *Mettius Fuffetius*.—P. 101. l. 17. for *the necessity of pardon* r. *entitled to pardon*.—P. 103. l. 15 ab imo, r. *it* appears.—P. 110. note *, divide the quotation from *Lucan* thus:

Illic et laxas vestes, et fluxa virorum
Velamenta vides.

P. 110. note *, for *fluctunte* r. *fluitante*.—P. 114. l. 14 ab imo, r. *continues* it.—P. 125. l. 4 ab imo, for *This circumstance renders* r. *The above circumstances render*.—P. 138. note †, for *Percennius Niger* r. *Pescennius Niger*.—P. 139. l. 15. r. *they* have moderated their rigour.—P. 162. note, divide the quotation from *Virgil*, *Æneid* vi. thus:

Largior hic Campos Æther, & lumine vestit
Purpureo.

P. 196. l. 18. dele *to*.—P. 197. note †, for *of the Chinese* r. *of China*.—P. 198. note †, r. *Fragment. Epist. Imperator Adriani in Vopisco*.—P. 207. l. 5. dele reference to note.—P. 215. l. 3 ab imo, r. *animadverted* upon.—P. 217. l. 9. for *Europe* r. *Egypt*.—P. 232. l. 8. r. *some of the species of arum, of the marsh-trefoil, &c.*—P. 243. l. 3 ab imo, r. *judged* of.—P. 251. note ‖, l. 8 ab imo, dele *Hoffman*, and at the end of the foregoing line insert it, as the name of the author from whom the quotation is made.—P. 277. l. 7 ab imo, for *incline* r. *lead to*.—P. 287. l. 5 ab imo, for *them* r. *the adjacent islands*.—P. 325. note *, for *Indicatur* r. *Judicatur*.—P. 338. l. 4. for *however* r. *indeed*.—lb. l. 9. dele *however*.—P. 342. note *, for *Oesaliem* r. *Oesalcem*.—P. 343. l. 16. r. *animadverted* upon.—P. 378. l. 5 ab imo, r. *to the knowledge of the disposition and character of mankind*.—P. 386. note *, for *concussiverat* r. *concupiwerat*.—P. 389. note *, for *Mettius Tuffelius* r. *Mettius Fuffetius*.—P. 398. l. ult. for *Palitia* r. *Palilia*.—P. 407. note ††, l. 2. for *Cartbaginians* r. *Africans*.—P. 420. l. 15. r. *animadverted* upon.—P. 440. l. 11. r. *nor do any of the Chinese vessels*.—P. 466. l. 5, 4 ab imo, r. *which they were unable to prevent*.—P. 467. l. 12. r. *Cineas*.—P. 480. l. 20. r. *attended to*.—P. 500. l. 12. r. *as of his providence and beneficence*.

The Author being at a distance from the press, the above Errata have
happened, which the Reader is requested to correct.

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I N T R O D U C T I O N .

R E M A R K S
ON THE
INFLUENCE OF CLIMATE, &c.

I N T R O D U C T I O N .

VEGETABLE productions, separately considered, appear to be limited by nature to a certain climate and situation. If removed from thence, even to no great distance, they languish and abate in their distinguishing properties; if farther removed, they become abortive; and if still farther removed, cease to live. The same is true, though with greater latitude, of the animal kingdom, in which the same general rule prevails as in the vegetable.

The exact boundaries of this limitation are not ascertained; but we are not, on that account, less certain of their existence, although the difference produced in the perfection of the animal or vegetable is not considerable, when the alteration in these circumstances is but small.

Man, however, appears to be an exception to this rule, and to be enabled to subsist in almost every climate and situation. He

reigns with the lion and the tyger under the Equator, and associates with the bear and rein-deer beyond the Polar Circle.

Nor is man less capable of subsisting on a great variety of aliments, than he is able to endure a great difference of climate; the former of which circumstances, as well as the latter, is very properly adduced by naturalists, as a great presumption that he was intended by nature to inhabit every part of the world*. But notwithstanding this assistance afforded by nature, it may be justly doubted if this universality of the human species be not owing more to his rational faculties, which enable him to supply the defects, and correct the exuberances of particular climates and situations, than merely to his animal formation.

Independent of the assistance imparted by reason, man is perhaps the most weak and defenceless of any animal with which we are acquainted. He is the only one which is unable to endure any known climate; but obliged to have recourse to art, not only for the procuring of sustenance, but also for defence against the violence of heat and the asperity of cold.

But although man is enabled to subsist, by means of these succours from his rational faculties, he is still liable to be considerably affected, both in his body and mind, by external circumstances, such as climate, situation, &c †. To enumerate some of these, with their general effects, which relate to or influence the disposition and temper, the manners, intellects, laws and customs, form of government, and religion of mankind, is the purpose of the following pages.

* Zimmerman Specim. Zoolog. Geograph. ch. I. sect. xxxi.

† Some of these have been esteemed of such consequence by the naturalists, that Linnæus has made the peculiar temper and character of the European, Asiatic, African, and American, specific distinctions.

BOOK I.

On the Effect of Climate.

CHAP. I.

ON THE EFFECT OF HEAT AND COLD UPON THE ANIMAL BODY.

THIS method of illustrating the effects of climate has been adopted by Mr. Montesquieu; but the subject he made use of, which was a dead sheep's tongue, being very improper on many accounts, and his anatomical and physiological knowledge very confined, his inferences from thence are far less clear and happy than what have generally flowed from the pen of that illustrious author. To avoid similar mistakes, the deductions I shall attempt to draw from this source will be taken from known and acknowledged effects on the *living* human body.

The effects of heat and cold may be considered here with respect to their action on the nervous, sanguineous, and glandular systems.

CHAP. II.

ON THE EFFECTS OF HEAT UPON THE LIVING HUMAN BODY.

HEAT is perhaps the most universal stimulus with which we are acquainted; when applied in any great degree to the human body, it excites the action of the nervous system in general, and of the cutaneous nerves especially, which are most exposed to its influence, and renders them more susceptible of any impression. If the heat be long continued, it produces a moisture upon the skin, called perspiration, which, by relaxing the cuticle, keeps the subjacent nervous papillæ in a supple state, and obvious to every impulse. It likewise exposes the extremities of the nerves to external impressions, by keeping the skin in a smooth state, and void of corrugation. Heat also, by increasing the secretion of perspiration, causes the perspirable matter (similar to what occurs in other increased glandular discharges, as the saliva, the mucus of the nose, &c.) to be very much attenuated, and consequently fit for being easily and quickly evaporated, without the same portion of it remaining long upon the skin, or leaving much residuum; which renders the cuticle very thin and fine, and of consequence fit for transmitting sensations through its substance. By increasing the perspiration, heat diminishes the other evacuations, and even the secretions. The urine is separated but in small quantity, and the alvine evacuation is very slow. The bile however must be excepted, which is considerably increased in quantity, and as some think rendered more acrimonious in quality. The disposition of the body and juices to putrefaction is also much augmented,

C H A P. III.

EFFECTS OF COLD ON THE LIVING HUMAN BODY.

COLD, on the contrary, in similar circumstances, corrugates or wrinkles the cuticle, and causes the cutaneous papillæ to contract, and to retire deeper into the skin. It also closes the orifices of the cutaneous glands, and thus prevents the access of any irritating substance. By contracting the nervous papillæ, it diminishes perspiration, and probably makes the perspirable matter more viscid, which renders the cuticle more dry and rigid, and even considerably thicker; by all which the accuracy of sensation or feeling is much diminished*. Perhaps too, as Mr. Montesquieu observes, the constriction on the miliar glands may render the nerves of the skin in a degree paralytic; and this I am inclined to believe may be in some measure the case, from that insensibility which occurs in the access of fevers, especially † intermittents, where the cold fit is the most strong and distinguishable.

The secretion of the bile is diminished by cold, and its quality rendered less acrimonious. The urinary and alvine evacuations are more regular, and more proportioned to the quantity of food taken in. The bodily strength is also greater, the bulk of the body larger, and its humours less disposed to putrefaction.

* Mr. Winslow remarks, that the insensible perspiration is always greatest where the feeling is required to be most accurate, as in the palms of the hands, insides of the fingers, &c.—*Winslow's Anatomy*.

† Cullen's Practice of Physic, § xix.

CHAP. IV.

EFFECTS OF HEAT ON THE TEMPER AND DISPOSITION.

FROM these effects of heat and cold upon the body, much of their influence on the mind may be explained. Heat, I have observed, increases the faculty or power, as well as the accuracy, of sensation or feeling. This sensibility of the body is by sympathy communicated to the mind; and from hence proceeds that high degree of the latter which prevails in hot climates, and which is indeed so great as to be scarcely conceivable, except by those who have felt it. This might be exemplified in numerous instances, and is, I believe, the great spring of their actions and conduct.

SECT. I. *Passionate Temper.*

From this sensibility arises the passionate temper of those people, which was observed from early antiquity*, and their impatience under several circumstances of behaviour, which never affect people of a more phlegmatic turn. This is particularly observable among the Italians in Europe, and the inhabitants of the West Indian islands in America.

SECT. II. *Amorous Disposition.*

To the same sensibility is owing the amorous disposition of the people of hot climates; which disposition again, in its turn, enhances the sensibility that produced it. This, as well as the jealousy that attends love, has been always remarked as a part of the character of those people.

But although the enthusiasm of love be most powerful in such

* Hippocrates de aeribus, aquis, & locis, Chap. viii.

climates, yet this passion is in them far from being of a refined nature in point of sentiment. Beauty, indeed, is highly valued as a possession; but regard, esteem, and attachment, have scarcely any place in the union of the sexes.

S E C T. III. *Vindictive Disposition.*

From what has been said of the sensibility of the people of hot climates, we might be inclined to think that their disposition would be exceedingly mild and tender: but this I do not believe to be the general character of the people. The sensibility with which they are endued, however it may teach them to feel for others, causes them to have very quick sensations on their own account. Thus many circumstances, which are overlooked in cold climates, are construed into irreparable affronts in * Japan, and such as nothing but death can expiate. Even the † Chinese, who, as a commercial people, are obliged to have some command of temper, are, when much provoked, violent and vindictive. The same difference is, in some measure, observable between Spain and Italy, and England. The cruel revenges likewise, such as by the dagger and by poison ‡, so frequent in hot climates, with the inhuman treatment of prisoners which generally prevails || there, prove evidently their disposition to be of this nature.

I am sensible that Mr. § Montesquieu appears to have expressed

* Vide Kæmpfer.

† Du Halde, vol. ii. p. 89.

‡ Xenophon's *Cyropædia*, book vii.

|| See the account of the cruel usage of the Kings taken prisoners by Adonibezek, Judges, i. 7.

See also the note to chap. iii. 17, in Dr. Lowth's *Isaiah*; and Homer's *Iliad*, book vi. l. 580, &c. Pope's translation; and the account of the cruel treatment of the Emperor Valerian, by Sapor, King of Persia, given by Trebellius Pollio and Aurelius Victor.

§ Spirit of Laws, book xiv. chap. 15.

himself in such a manner as seems to favour a contrary opinion. But his observation extends only to the East Indian continent, whose inhabitants are, indeed, of a mild and gentle disposition; but which, I think, I can shew to be owing to a different cause from the climate.

S E C T. IV. *Levity.*

To the same sensibility is owing the levity or inconstancy which is so remarkable in warm climates. The mind is here open to every impulse; but as these succeed rapidly one to another, they none of them make any very permanent impression, but efface one another in order *. This levity is probably the cause why the people in many despotic governments, who labour under the greatest oppressions, appear happy and at ease. They have little concern but for the present moment; and the latest incident, however trifling, is sufficient to engage their attention, and to prevent their reflecting on their own situation and condition.

The disposition also for curiosity and inquisitiveness, that prevails so much in hot climates, is probably owing to levity. Every object makes an impression on their delicate sensations; which, however, being transient, only leaves room for another, and so on; which succession serves to fill up the vacancy of an indolent habit,

* Women and children appear to possess a degree of sensibility and levity, similar to what is here observed of the inhabitants of hot climates, and probably for a similar reason, the weakness of their frame. Thus they are easily affected and greatly agitated by the afflictions of life; but these emotions are seldom of long duration, and in general easily effaced. Men, on the contrary, are less violently affected, but the impression is of longer continuance. Thus Tacitus says of the ancient Germans, that "tears and lamentations were esteemed the proper means" for women to shew their concern for the loss of their deceased friends, but that "men should express their grief by a fixed and lasting remembrance:" and in another place, speaking of the nation in general, he tells us, that they soon lay aside their tears and outward expressions of grief, but retain for a long time their internal sorrow and melancholy for the loss of their friends.

and

and to consume that time which they have neither power nor ability to employ in useful or active occupations.

S E C T. V. *Timidity.*

Another characteristic disposition of the inhabitants of hot climates, is cowardice, or timidity. This is owing in part, though not altogether, to the sensibility of the people, which causes every object to make the strongest impression upon the mind. Other causes, however, concur. The great perspiration to which they are subject, is extremely weakening to the body, and when it becomes excessive, nearly deprives it of all vigour† and activity whatever. This languor is naturally communicated to the mind, and debilitates that in a similar manner. The inclinations become entirely passive; there is no ardour of enterprise, love of fame, or desire of improvement. The sensation of weakness discourages all exertion of body or mind, by suggesting the idea of inability; and this idea, joined with the sensibility before described, which the weakness itself contributes greatly to heighten, produces that timidity of character for which the people of hot climates‡ have always been remarkable.

The cowardly disposition of the inhabitants of the East is well known. An hundred Europeans, says Tavernier, would without difficulty beat a thousand Indian soldiers. Xenophon also tells us, that the Asiatics|| in his time would not fight unless in company with Greek auxiliaries. Even the children of Europeans, born in the Indies, lose the courage peculiar to their own

† Spirit of laws, book xiv. ch. 50.

‡ Machiavel's art of war, book i. ch. 5.

|| Cyropædiæ ad finem.

climate. Livy † observes to this purpose, that the same holds true of men that does with respect to vegetables and other animals; that the particular nature of the seed is not so powerful in preserving the perfection of the produce, as the nature of the soil and climate, under which it was bred, are in changing it. He instances this in the Macedonians, whose descendants possessed Egypt, Syria, and Babylon; who had all degenerated to an equality with the native effeminate inhabitants of the country, and who would prove as easy a conquest to the Roman arms. Perhaps it is on account of this effect of perspiration on the animal body and spirits, that several creatures that inhabit hot climates, and whose subsistence is procured by their courage and rapacity, such as lions, tygers, wolves, &c. should have no secretion of this kind; and it is not improbable, that their ability of enduring long abstinence from food may be owing to the same cause. Some writers, indeed, as ‡ Vitruvius, and after him Hoffman, ascribe the cowardice of the people of hot climates to the small proportion of blood in their bodies; and even || Aristotle seems to think, that the large proportion of the fibrous part of the blood, is the cause of the courage and spirit of several animals. But this is little more than vague hypothesis.

Lord Kames, indeed, in his *Sketches of Man*, has delivered it as his opinion, that a hot climate has no specific or peculiar power in diminishing the courage of the people; and brings as instances the Malaysans, and several other people, who are very brave, notwithstanding they inhabit a hot country. It is true that examples of this kind may be found; but they only prove, that the natural effects of the climate may be counteracted or overpowered. The people he speaks of, probably owe their courageous disposition to a circumstance which shall be

† Livy, book xxviii. Speech of Manlius to the soldiers.

‡ Vitruvius, lib. vi. cap. i.

|| Aristotle, lib. ii. de part. cap. 4.

mentioned!

mentioned hereafter. Our own feelings, duly observed, are sufficient to convince us, that heat has such a tendency.

SECT. VI. *Indolence.*

Indolence is another ingredient in the character of this people, and, as it were, interwoven into their constitutions. The Indians believe, that repose and non-existence are the origin of all things, and the end in which they terminate. They consider, therefore, the state of mere inaction as the most perfect of any, and as the object of their wishes. They give to the Supreme Being the title of Immoveable. The inhabitants of Siam believe, that their happiness consists in not being obliged to animate a machine, and to give motion to the † body. Ease, with them, is the greatest ‡ good; and nothing surprises the Indians so much, as to see Europeans take pleasure in exercise; they are astonished to see people walk, who might sit still. The same disposition was observed of the people of § Otaheite, and of the || modern Arabs. This indolence of disposition is owing to several causes. First, the heat is so great, that every increase of it is painful. Now all exertion, either of mind or body, has this effect in some measure. A state, therefore, of repose, or inaction, is the most natural to be desired. Another cause of this indolent disposition is, that languor, or sense of weakness, which heat naturally inspires. This, however, is not merely an ideal sensation, but true in fact; as the inhabitants of

† Panamanack. Vide Kircher.

‡ Mrs. Kindersley's Letters from the East Indies, p. 182.

§ Forster's account of Otaheite.

|| If we except the hours of devotion of the Arabs, they have no other method of passing their time, than in visits of ceremony. *Voyage up the Red-sea, by Eyles Irwin, Esq; p. 123.*

hot climates are found, by experience, to possess much less † bodily strength, and ability to endure fatigue, than those of cold or of the more temperate. This weakness is owing to diverse causes. The perspiration in which they are constantly kept, has a great tendency this way, as has been before remarked; as it is not only very large, as an ‡ evacuation, but is also extremely weakening to the body, in proportion to its quantity. Mr. Haller observes, that the excessive sweats in burning hot climates (as in Barbadoes, § Carthagená, and Surinam) suddenly destroy the strength of Europeans, and are not less weakening than violent purgings by stool. It is likewise observable with us, that those people are of a weak habit who have the palms of the hands constantly moist. It may be, perhaps, objected to this theory, that several people who follow laborious employments, and other occupations which occasion great sweating, such as porters, chairmen, smiths, &c. are still of robust and athletic habits, and often endued with great personal courage. But it has been very properly remarked, by an ingenious and sensible writer, that sweating in the open air, in consequence of labour, is extremely different from the same evacuation produced in consequence of || external heat. In the first instance, it is merely composed of the serous part of the blood; in the latter, it is generally colliquative, and intermixed with the fat of the body melted down and running off by these excretions. People also, who labour hard, generally do it when it is performed without injury to health, in a cool air, and at a cool season of the year. Those who practise these violent exertions in hot weather, or in

† Vide Robertson's History of America, Zimmerman's Specimen Zoolog. Geograph. and Mr. Buffon.

‡ Haller. Physiolog. vol. vi. p. 66, 67.

§ Physiolog. vol. vi. p. 83, 84. Vide also Alexander's Experimental Essays, vol. i.

|| Alexander's Experimental Essays, vol. i.

confined places, are found to be weakened by them much in the same way that is observed of those who inhabit hot climates. This is confirmed by the appearance of those people who work at such occupations which detain them within doors, and in great heats; such as men who work at furnaces, glass-houses, &c. who are generally of a † lean, withered aspect, resembling a premature old-age, and not unlike the generality of the inhabitants of hot climates.

Nor does perspiration produce this effect merely by means of the evacuation it occasions, but probably more powerfully by the relaxation with which it is attended, which is communicated to the muscular parts, and induces that want of tension in the system which occasions the debility. I am likewise inclined to believe, that the bilious disposition of the inhabitants of these countries, has some share in causing their indolence of disposition. Hot climates, I have before remarked, tend to increase the generation of bile, which also is often obstructed in its passage into the intestines, and regurgitated into the system; and this takes place so frequently there, as to form, in some measure, a characteristic of the people. Now the bile, although intended by nature to be an active stimulus to the intestines, exerts an effect totally different when absorbed into the circulatory system. It there produces ‡ an aversion to motion, or exertion of any of the faculties of either mind or body; from which effect, it may reasonably be supposed to contribute towards forming this part of their character. The tendency, likewise, of the animal fluids to putrefaction, which is almost always the case in such climates, and is probably owing to the constant perspiration, has likewise, I imagine, some effect in producing this inactivity of disposition,

† Rammazini de Morbis Artificum.

‡ People in the jaundice are almost universally disposed to be sluggish and indolent.

as nothing so much or so quickly debilitates the human body. This we see instanced in the case of putrid † fevers, a sudden and remarkable prostration of strength being one of their most distinguishing symptoms. Even the cowardice ‡ of the people operates as a cause of their indolence; which last favours the other again in its turn.

CHAP. V.

EFFECTS OF A COLD CLIMATE ON THE TEMPER AND DISPOSITION.

SECT. I. *Diminution of sensibility in general.*

COLD, by blunting the power of feeling, in the manner above described, tends greatly to diminish the sensibility of the system in general.

The circumstances of the greater bulk and bodily strength of the people of cold climates, are likewise reasons why they possess less sensibility: a high degree of this quality is almost always connected with something of delicacy and weakness of frame; and this may be the reason why women have more of it than men; and why perspiration, by weakening the body, may conduce to the increase of sensibility.

Hence the inhabitants of cold countries are little subject to emotions of passion, and, indeed, difficult to be excited on any occasion.

SECT. II. *Little disposition to the tender passions.*

For the reasons given above, love, as a passion, is scarcely seen in a northern country. As a proof of this, jealousy, its insepara-

† Huxham on the putrid fever.

‡ Rambler, No. 134.

ble attendant, when the former is in a high degree, is hardly found; and generally, when it does appear, is made an † object of ridicule. Friendship, likewise, or that enthusiastic attachment which subsists between persons of the same sex, and which is the source of so much tenderness and emotion, is seldom found where the influence of the sun is not tolerably potent. Indeed, as its foundation is laid so much in sensibility, it can scarcely appear where that does not, in some measure, prevail. I am, however, far from meaning to insinuate, that people in cold climates are destitute of that bond of society, which consists in a regard from one individual to another; but only say, that this attachment is derived from other, and perhaps more laudable motives, such as esteem and gratitude, and seldom arrives at that height of fondness and partiality which distinguishes the other.

S E C T. III. *Benevolence.*

The people of cold climates, however, are far from being destitute of benevolence and kindness of disposition: though not so readily affected as the southern inhabitant, the impression is more permanent, and attended with greater effect. This is shewn in the charitable disposition of these people towards the poor, and their mild treatment of prisoners taken in war, and in many other instances. They are, likewise, much less vindictive, and do not retain the memory ‡ of an injury nearly so long as the inhabitants of a southern climate. A great writer of the present age, Frederic Hoffman, has ascribed this disposition of these people to a cause seemingly rather whimsical, but perhaps not altogether destitute of foundation in truth. He is of opinion ||, that the

† The progress of this passion, from a hot to a cold climate, is described with great force and elegance in Dr. Ferguson's Essay on Civil Society.

‡ Tacit. Germania, chap. xxi.

|| Hoffman de temperamento fundamento, &c.

large size and tallness of body of the people of northern countries, is adverse to malice or cruelty of disposition. Hence Cæsar observed, that he was under no apprehensions on account of any danger from Antony and Dolabella, who were plump and well-favoured; but his concern was employed about Brutus and Cæsius, who were of a different complexion, and by whom he at last perished. The reason of this will appear, if we consider what has been already mentioned of the effect of robustness and strength of habit in diminishing sensibility.

SECT. IV. *Steadiness of conduct.*

The inhabitants of cold countries are more fixed and steady in their resolutions, than those of hot. The impulse must, indeed, be strong to produce any effect; but when the impression is once made, it engrosses the attention in a great measure, and is not liable to be effaced by subsequent ones.

SECT. V. *Bravery.*

The diminution of the sensibility, contributes to make the people who live in cold countries less timid. Slight impressions scarcely affect them; and the motives that would deter an inhabitant of a hot country from an enterprise, never reach the sensation of one of a cold climate. This resolution of the northern nations, in despising the fear of death, was remarked by several of the ancient writers, and particularly by † Lucan.

† — Certe populus quos despicit Arctos
 Felices errore suo! quos ille timorum
 Maximus haud urget leti metus; inde ruendi
 In ferrum mens prona viris animæque capaces
 Mortis; et ignavum redituræ parcere vitæ.

LUCANI Pharsal. Lib. i;

they

The courage, however, of these people appears to be rather of the passive kind; though to a great degree insensible of fear, they are from the same insensibility less capable of brisk exertion. At this disposition Strabo seems to hint †, who remarks, that the northern nations were famous in close fights, and for persevering courage. This appears too from the circumstances in general attending the wars in which the Russians have been engaged. Though frequently victorious over the best-disciplined troops, even those of the king of Prussia, by their intrepidity and steadiness, they were less able to improve a victory, or to reap all the concurrent advantages from it, than their more southerly neighbours.

The Abbè Chappe D'Auteroche has indeed asserted, in his account of Russia, that the people of that country are not endued with that courage which some philosophers have ascribed to the northern nations, but are, on the contrary, pusillanimous and cowardly to an incredible degree. But the behaviour of the Russian troops during the late wars in Germany, and in the campaigns of the years 1769 and 1770, are amply sufficient to disprove this assertion. The Abbè seems to have written his account of Russia under the influence of a strong prejudice, probably arising from the jealousy which the French have for many years had of that power, on account of its connection with Great Britain.

Another cause of the superior courage of the people of cold climates is derived, I apprehend, from the habit of labour, exercise, and industry, inspired by the climate. ‡ Hippocrates observes, “that idleness and leisure increase and favour a cowardly disposition, but that manly courage is the produce of labour and exercise.” The strength also which is thus acquired, gives them an idea of security and confidence, which the inhabitants of hot climates do

† Strabo, lib. iv.

‡ Hippocrates de aeribus, aquis, et locis, § 54.

not possess, as the sense of debility which they have, inspires a consciousness of weakness and apprehension of danger. It appears probable also, that the very levity prevalent among the people of warm climates, is adverse to courage and resolution, by the unsettled and unsteady disposition with which it is connected, and which it inspires. † Hippocrates remarks, that a manly habit, a capacity of enduring fatigue, and a courageous mind, are not likely to be found among these people, on account of their variable and uncertain regards, affections, and attachments. Other causes also concur, which shall be mentioned in their order.

SECT. VI. *Activity.*

Cold climates are averse to indolence, at least of the body, and produce a habit of bodily exertion and activity. Repose and shade are the securities from heat; fire and exercise the remedies of cold. So that here, the necessities of the climate itself contribute to form the character of the people.

CHAP. VI.

ON THE EFFECT OF MODERATE CLIMATES ON THE TEMPER AND DISPOSITION.

SECT. I. *Sensibility.*

MODERATE climates possess a middle degree of sensibility between the cold and hot. Their love of pleasure, and relish for its various enjoyments, is considerable, but neither of them so great as to engross the mind altogether, or to enfeeble the

† Hippocrates de aeribus, aquis, et locis, § 33.

body, as in hot climates; or so inconsiderable as to afford scarcely any motives to influence our conduct and behaviour, as in cold.

The temper also of the people of moderate climates, is of a middle nature between the fire of passion of the south, and the coldness and patience of a frozen temperature. This medium of disposition has been productive of many happy effects on their state and situation in society.

S E C T II. *Love.*

Love undoubtedly appears to the greatest perfection in moderate climates. It is there united with a degree of sensibility and passion on the one hand, and esteem and attachment on the other; and free of that debasement which must necessarily attend the union of the sexes being made either an object of mere passion, or of simple convenience.

S E C T. III. *Friendship.*

Friendship too, which is nearly allied to love, is seen to most advantage in temperate latitudes. In great degrees of heat, the mind is enfeebled, and the disposition becomes timid, variable, and selfish, and of course unfit for the reception of a passion, to whose existence fortitude, constancy, and self-denial, are so necessary: and in cold countries, as has been before remarked, the affections are too insensible, and too indifferent, to arrive at that pitch of attachment, that comes up to the idea of friendship. A latitude, however, rather warm than cool, is most favourable to this species of regard.

S E C T. IV. *Moderation of conduct.*

A proper medium also between severity and too great forbearance, is mostly found in temperate latitudes. In hot cli-

mates the sensibility is apt to prompt people to active exertions of cruelty; and though this is seldom found in cold climates, there is still in them, a degree of unfeelingness, which is sometimes productive of effects nearly similar. What Mr. Montequieu has observed of excess of good or bad fortune, is equally applicable to climate—that men, in extremes of either, are equally inclinable to severity; and that it is moderation alone, and a mixture of both, that inspires us with lenity and pity. Particular instances of this will be given when I come to speak of the effect of climate on the laws.

S E C T. V. *Fickleness of disposition.*

Fickleness also, or uncertainty of temper, is another mark of the inhabitants of moderate climates. This might naturally be expected from such a medium of temperature, where neither of the two extremes prevail in a degree sufficient to impress the mind with the peculiar effects of either. This disposition is very observable amongst our own countrymen, and begets a habit of impatience, which makes them incapable of bearing even the happiest and most fortunate train of affairs for any long time together. This is remarkably instanced in political matters, the present state of which is almost always represented in the common discourse of the people to be the worst that is possible to be imagined. This increases often to such a degree, as to cause an alteration of public measures, and sometimes of ministers; which at first gives satisfaction, but soon a fresh subject of complaint is started, and a new mode of conduct becomes necessary; which also in its turn is changed in like manner. Nor is this confined to public affairs only, although in them it is most conspicuous, as being subjects of the most general and public debate; but daily appears in private life, in which we see people, whose situation in almost every respect would appear to a stranger nearly as happy as the condition

tion of human nature admits, complaining of their unhappiness, depreciating every good, and magnifying every frivolous misfortune; and this with such eagerness, that they often seem, when intent on demonstrating the miseries of their lives, to escape from their sorrows, and to find a tolerable pastime in proving that they are unhappy. Nor are the effects of this disposition confined to mere declamation, or verbal complaint; it often produces the most terrible consequences, by inducing the sufferers to put an end to their miseries by a voluntary death.

This often happened among the Greeks and Romans; but we never hear of any of them destroying themselves without some apparent cause. But the English, and indeed some other nations in nearly the same latitude †, often put an end to their lives in the bosom of happiness. This seems to resemble a disorder of the climate, and to be interwoven into the constitution of the people. With them, labour and pain are in general more tolerable than a weariness of life, or an uneasiness in existence. Pain is a local thing ‡, which leads us to a desire of seeing an end of it. The burthen of life is an evil confined to no particular place, which prompts us to the desire of ceasing to live. This impatience is totally different from the levity of hot climates. The latter, I have before observed, is of the nature of a transitory attachment, which is effaced by a subsequent; but the former is generally a settled disgust. In the one case, the change happens from a new impression, in the other, from dislike of the present situation.

The levity of hot climates differs also from the impatience of the English, in being more personal. In the former, they are

† Moore's View of Society in France, &c.—Suicide is as common in Geneva as in England. The French also are addicted to it. Abbè Fontana told a very ingenious friend of mine, that more persons put an end to their lives at Paris, than in London. He had this account from the Lieutenant of the Police.

‡ Spirit of Laws.

variable in their personal attachments, whilst their manners and customs remain unchanged through ages.

With us, the manners and customs are perpetually varying, whilst our personal regards are steady and permanent. This disposition appears very remarkably in political affairs. In England, the chief complaint against any particular administration is, on account of certain measures which they have adopted; and if these be altered, the people seldom fail of being satisfied, at least for a time.

But the insurrections in the East, are directed chiefly against the person of some particular minister or favourite; and, provided he be but removed, the complaints of the people are generally appeased, though the measures and style of government remain as before.

SECT. VI. *Courage.*

The people of moderate climates, although inferior in passive courage to those of the cold, have more courage of the active kind, and are more enterprising, and able to take advantage of their successes. Thus we see the Romans, even before they had arrived at the perfection in the art of war which they afterwards attained, were superior to the northern nations. The same was true of the Greeks, and may now be observed on a comparison of the Russians with the more temperate countries of Europe. Hence † Vegetius recommends the choice of soldiers from temperate climates, as being best suited for military enterprises, from their possessing both active courage, and the sense and understanding necessary to improve advantages. An ancient writer of intimate acquaintance with human nature, has assigned another cause for the superiority of the people of moderate climates in point of

† De re militari, lib. xi.

military courage, which we, as Englishmen, cannot fail to admire, and which it ought to be our ambition to verify. "Hence, says †Hippocrates, the Europeans are more warlike than the Asiatics: and not merely on this account, but also on account of the laws by which they are governed; they not being subject to a despotic government, as is the case with the Asiatics. For wherever this prevails, it follows of consequence, that the people are timid and dastardly. For people, whose minds are depressed by servitude, do not freely and of their own accord expose themselves to dangers for the sake of others. But the people of Europe, who live under their own laws, are ardently desirous of war, and freely and readily incur all its dangers and difficulties, inasmuch as they esteem them to be hazarded on their own account, and as they reap all the advantages gained by them. Hence it appears plainly, how much a legal government conduces to encrease courage and magnanimity."

S E C T. VII. *Activity.*

The disposition of the inhabitants of temperate climates is also more turned to activity and exertion of the powers, both of mind and body, than of those who live where either the cold or heat predominates to a great degree. In the former of these, the faculties are suffered to sleep in the lap of ease and indolence; and in the other, are obstructed by insensibility. But in moderate situations, a medium of temper also takes place, which excites the mind to exert its powers, from its being sensible of its capacity to contrive and to judge, on the one hand, and of the strength and vigour of body, where that is necessary, to execute, on the other.

† De aeribus, aquis, et locis, cap. 54.

Such a state of mind and body is almost always accompanied with courage and resolution, which are much less frequently wanting in human nature, on occasions favourable for their being called forth, than is generally imagined.

SECT VIII. *Variety of character.*

Finally, temperate climates produce a much greater variety of character and disposition, than either of the two extremes of heat or cold.

CHAP. VII.

OF CLIMATES SUBJECT TO GREAT VARIETY OF TEMPERATURE.

HITHERTO I have spoken of climates, wherein either the heat or cold prevails through the whole or greatest part of the year, or where there is a kind of medium betwixt both. But another kind of climate yet remains to be taken notice of, that wherein the heat and cold prevail alternately, during the different seasons, to a great degree.

The effects of a climate of this kind have not, as far as I know, been remarked by any modern writers, but did not escape the observation of Hippocrates; though the countries he seems to rank in this class are, indeed, such as undergo considerable varieties of temperature at the different seasons; many parts of Europe, for instance; but are still what are at present esteemed to be in a moderate climate, and by no means subject to such vicissitudes as a great part of North America, and that vast continent between Asia and Europe, called Siberia and Tartary.

Hippocrates

† Hippocrates observes, that in such a climate the shape and character of the people are much less uniform than in either a hot or a cold country. This appears very probable, as the climate partakes of the extremes of both.

He also thinks, that “ variations of climate make men more active ‡ in the affairs of life, more brave and resolute in their conduct, and more austere and rugged, though more upright and just, in their behaviour. This is nearly the same character which we have before ascribed to temperate climates. How far these qualities may be attributed to those climates, being exposed alternately to the extremes of the two temperatures, is difficult to ascertain.

CH A P. VIII.

EFFECTS OF CLIMATE ON THE MANNERS.

SECT. I. *General state of morals in different climates.*

IN point of morality in general, it is, I believe, agreed, that the manners of cold climates far exceed those of warm; in the latter, the passions are naturally very strong, and likewise kept in a perpetual state of irritation from the high degree of sensibility that prevails, which causes a great multiplication of crimes, by multiplying the objects of temptation. Many desires and passions arise there, from causes that would either never occur in a cold climate, or be easily resisted; but in a warm one, the passion or inclination is stronger, and the power of restraint less. In cold climates, the desires are but few, in comparison, and not often of

† Hippocrates de aeribus, aquis, et locis, § 39, 53, 54, 55.

‡ Mr. Hume observes, that uniform climates are unfavourable to the powers both of mind and body.

a very immoral kind; and those repressed with less difficulty, as they are seldom very violent. In temperate climates, the passions are in a middle state, and generally inconstant in their nature; sufficiently strong, however, to furnish motives for action, though not so powerful as to admit of no restraint from considerations of prudence, justice, or religion. But it will be proper to treat this matter more in detail.

S E C T. II. *Effects of the sensibility inspired by a hot climate, on the morals.*

The qualities of a people, in this respect, are derived, in a great measure, from the disposition; the consideration of which, will enable us to account, in some degree, for the differences of their moral character. The people then of a hot climate, possessing great sensibility, are liable to all its effects on their actions and behaviour.

S E C T. III. *Emotions of passion.*

Hence the inhabitants of hot climates are disposed to be quarrelsome, passionate †, litigious, and revengeful. They are, as it has been before observed, cruel from the same cause. In some rare instances, indeed, where a great degree of sensibility has been united with great abilities and goodness of heart, the happiest effects have been produced. The character of the celebrated Marquis Beccaria in Italy, is an instance.

† Amm. Marcellin. lib. xxvi. cap. 6. Cleghorn's Introduction to his Account of Minorca. Addison's Travels, account of Naples. Du Halde's History of China.

S E C T. IV. *Pride.*

Pride also appears to be a vice of hot climates, derived from the same source. This we see in almost every people in such a situation. Numberless instances of this are to be found in the circumstances attending the eastern monarchs. Herodotus † tells us, that “the Persians esteem themselves much more worthy in every thing than the rest of men; and others to participate of virtue only in proportion to their nearness of situation, always accounting those the worst and the most base who inhabit farthest from them.” The term of barbarian was formerly bestowed, even by the Greeks and Romans, on all nations except their own: and what is more remarkable, and which shews how deep this idea was rooted, no less a man than Aristotle imbibed a prejudice of this kind so strongly, as to lay it down in his ‡ works, that his countrymen were originally formed by nature to be superior and command the rest of mankind. The map of the world in China, was a square || plate, the greater part of which was occupied by the provinces of this vast empire, leaving on its skirts a few obscure corners, into which the wretched remains of mankind were supposed to be driven. If you have not the knowledge of our books, or the use of our letters, said the learned Chinese to the European missionary, what literature or what science can you have? The pride of the Spaniards in Europe has also been long known.—I have taken these instances of national pride from improved and polished nations, that it might not be ascribed to ignorance, which, independently of climate, produces the same effects. Thus the Russians, when in a barbarous state, called all other people by the name of Nemei, or dumb nations; and held them in a proportionable share of contempt. But when improve-

† Lib. i. ‡ On Rhetoric. || Du Halde, vol. i. p. 95.

ments prevailed among them, this disposition vanished; and at present, foreigners are no where better received or respected than in Russia.

As the heat of the climate diminishes, as in France, this pride is changed into vanity. This I take to be owing to a decrease of the sensibility: Where this is very great, every man has, or pretends to have, such an idea of his own importance, as to stand in no need of the applause of others; but when the feelings are not so quick, this self-estimation is not sufficient, and the praise of others becomes requisite, and forms the object of desire. Strabo describes the vanity of the French nation, and its effects on their conduct, in terms that exactly suit their present character. They have, says that writer, added to their ignorance and ferocity, a great degree of arrogance and folly, and affectation of ornament. They wear golden chains about their necks, and bracelets about their arms and wrists; and those who are in honourable stations, wear garments dyed and variegated with gold. In consequence of this levity of disposition, they are, when superior in war, extremely insolent and overbearing; but when defeated, stupid and helpless. Strabon. lib. iv. Thus the Frenchman aspires with eagerness, after what the Spaniard would esteem a derogation.

SECT. V. *Gallantry and intrigue.*

From the same sensibility arises the excess of those passions that are connected with love. Thus intrigue and debauchery with women, are well known to be carried to a high degree in warm climates. Even marriage is held but as a slight bar, and often considered, where the women are at liberty, rather as a pretence for greater freedom of behaviour, than as a † restraint.

† Vide the Life of Petrarch, and the Lives of the Troubadours, elegantly translated by Mrs. Dobson; where it appears, that addresses of love to married women were as common at that time, in France and Italy, as at present.

SECT.

S E C T. VI. *Jealousy.*

From the same cause arises jealousy, which in such a country, especially where pride predominates, is carried to a great height. The glory of ancient descent and great family are sensibly injured by infidelity of this kind, and therefore against such dishonour the guard is strict. But in France, where vanity prevails, and the passion of love is not quite so powerful, jealousy has little place. Were a fine woman to be confined there, as formerly in Spain, or in the East, her husband would lose the gratification of his vanity, in being known to possess a woman endowed with such qualities. The admiration paid to her, is to him a source of pleasure, and enhances his consequence by the respect paid to him on her account.

S E C T. VII. *Cowardice.*

Cowardice too, as before has been remarked, is owing in a great measure to the sensibility of the people, and is one of the vices of hot climates. It may appear strange, to rank timidity, which may be supposed not to be in our power to prevent, in the list of crimes. It is, however, in some circumstances undoubtedly criminal, and was esteemed as such by the ancient † Germans, who punished it with death, inflicted in the most ignominious manner.

S E C T. VIII. *Suspicion.*

Suspicion too, which almost naturally attends a great degree of sensibility, joined to timidity of disposition, is observed very frequently in hot climates. The profligacy of manners in such situations, contributes greatly to encourage such a temper of mind, every

† Taciti Germania.

one supposing his neighbour under little if any restraint from principles of morality.

S E C T. IX. *Fraud and knavery.*

It is likewise remarked, that in hot climates there is much less probity and honesty in the common dealings of life; the present object is there so much attended to, that scarcely any consideration is paid to future consequences, as there is but little reflection. Every one, therefore, is anxious to make what advantage he can of the present moment; and no regard is paid to the discredit or loss that may ensue.

S E C T. X. *Perfidy and inconstancy*

The levity likewise of the people of warm climates, which is ultimately derived from their sensibility, is productive of several vices. Thus they are remarkable for their perfidy and inconstancy, even to a proverb. Livy † says, that the people of Africa are inconstant in their expectations, and faithless in their dispositions. A similar character of them is given by ‡ Virgil and Cicero ||; to which Sallust § adds, that they were not to be kept in order by either hope or † fear. A similar character of the

† Livii, lib. iii. § 5. Lib. xxxvi. § 17.

‡ Virgil *Æneid*, lib. i.

|| Carthagenenses fraudulentum et mendaces. Cicero.

§ Sallust. *Bell. Jugurth. de Numidia loquens*.—Modern writers give the same account of them.

† “The craft and deceit of these people are equally great and inexplicable. To lye for the sake of falsehood, and to over-reach in matters of no moment, are paradoxes peculiar to the Arabians.” *Adventures in the course of a voyage up the Red-sea, &c.* by Eyles Irwin, Esq; 4to. 1780, p. 54. See also Shaw's *Travels to the Levant and Barbary*, where a similar character is given of them. Ingratitude and treachery, says Le Brun, are so common among the Persians, that children make

the Syrians and Asiatic Greeks, is given in another place by Livy †, and confirmed by ‡ Vopiscus. It might, perhaps, be imagined, as indeed Mr. Montesquieu has done, that this character of the people of Africa was exaggerated by the Roman historians, from the hereditary antipathy between that people and the Carthaginians; and that it was victory alone that caused the proverb to be the Punic, rather than the Roman faith. This I believe to be in some measure true; but it is certain also, that the Phœnicians had a character of this kind ascribed to them, long before the Roman period. Homer, who we have no reason to think lay under any temptation to give them a worse character than they merited ||, speaks of them in similar terms. The crooked and intriguing politics of Italy have, as well as those of Carthage, formerly been notorious through the whole course of modern history; nor were they different in former periods. The Romans § were scarcely less perfidious and dishonourable than those whom they reproached with those vices; and it was as much owing to their deep and insidious † policy, as to their arms, that they acquired the sovereignty of the world.

But in what manner shall we account for the punctilious honour of the Spaniards, who live in the same latitude with the Italians, and nearly in the same manner; and who have, in all ages, been famous for their honesty? Justin mentions their fide-

no scruple to cut off the ears, slit the nose, and cut the throat of their parents, if the king requires it, in order to procure what places or fortune they died possessed of. Le Brun's Travels, vol. iv. p. 143, 4to ed. 1725.

† Hic Syri & Asiatici Græci sunt; levissima genera hominum. Livii, lib. xxxv. § 17.

‡ Rarum est ut fidem servant Syri; imo difficile. Aurelian. Vopisci.

|| Homer's Odyssey, lib. xiv.

§ The similarity of the ancient Romans to the modern Italians, has been remarked by Mr. Ferguson, in his most ingenious and elegant, as well as learned, Essay on Civil Society.

† Montesquieu, Grandeur and Decline of the Roman Empire, chap. vi.

lity

lity in keeping whatever was intrusted to their care; they have frequently suffered death rather than reveal a secret. They have still the same fidelity for which they were formerly distinguished. All the nations who trade to Cadiz, trust their fortunes to the Spaniards, and have never yet repented it. A notable instance of this quality in that people occurred not many years since, when the silver which was returned from America by the plate fleet, was debased by one of the governors, by which the European traders, who sent goods to South America, would have been great losers. The Spanish merchants, though no way concerned or answerable for the fraud, voluntarily took the whole of the loss upon themselves, in order to prevent the national character suffering any * reproach. Perhaps the stately pride and haughtiness, so essential to the Spanish character, may have been of service in preserving them from this fraudulent disposition, which is always connected with meanness and cowardice. Perhaps this pride may have been partly inspired by the peculiar situation and circumstances that have attended the Spanish monarchy, the subjects of which have been always led to depend upon their personal qualifications, especially those of a military kind, and to disregard the importance produced by trade and commerce. But I offer this only as a conjecture: if, however, it be true, it furnishes an obvious cause for the difference of manners.

S E C T. XI. *Idleness.*

This prevails to a great degree in hot climates. The people of † Achim are proud and lazy; those who have no slaves, hire one, if it be only to carry a quart of rice an hundred paces; they would be dishonoured if they carried it themselves. In many places, people let their nails grow, that all men may see that they

* Vide Robertson's America.

† Dampier's Voyages, vol. iii.

do not work. A similar disposition prevails throughout all the East. But idleness is not only a vice itself, but still more mischievous as an incentive, or at least as affording an opportunity for others : it is indeed * a preliminary to every vice ; nor is sloth ever unaccompanied with some wickedness or other. What must then be the state of morality † in a country where the greatest part of the people have no work, employment, or calling to occupy their thoughts ; and no idea of intellectual entertainment ? The reverse is no less true : “ Oblige men to work,” says the elegant and spirited Commentator on the Marquis Beccaria, “ and you certainly make them honest.” It is well known, that atrocious crimes are not committed in the country, unless when there is too much holiday, and consequently too much idleness ; and, of course, too much debauchery. This, therefore, is no small cause of the general depravity of manners in warm climates.

S E C T. XII. *Luxury.*

Luxury likewise, and effeminacy ; the children of sensibility and indolence, are carried to a high degree in hot climates. This was observed of them from the ‡ earliest times, and is the case at present.

S E C T. XIII. *Excess in diet.*

There are, however, some, though but few, instances in point of morals, in which the warmer climates are superior to the cold. Thus the vice of drunkenness || is far less common among them ;

* Ulloa's Travels, book v. chap. 5.

† Vide also an excellent paper on the tendency of idleness to produce vice, in the Rambler, N^o 85.

‡ Vide the account of Tyre, by the prophet Ezekiel.—Xenophon's Cyropædia, book vii.

|| Strong liquors, even at this day, are not drank among the Arabs. Irwin's Voyage up the Red-sea, p. 285.

and, of consequence, the violence and disturbance which it so often occasions, are not so frequent; nor is, I believe, (though of this I am not certain) the luxury of eating cultivated as among us. The heat requires the diet to be mostly simple, and composed in a great measure of vegetables; and of consequence cuts off many of the stimulant provocatives to appetite; a large proportion of which are of the animal kind, which compose the catalogue of those * articles that minister to this mean and despicable passion.

SECT. XIV. *Gaming.*

I am likewise inclined to think, (though of this also I am doubtful) that the ruinous and destructive vice of gaming, is less prevalent in warm than in cold climates.

In the former of these, the people are more pleased with what directly produces some positive sensual pleasure, than with what pleases merely by interesting the mind, and putting it into a state of agitation. The latter of these would be too violent and robust an exercise for a hot climate, where any considerable degree of even mental employment is a fatigue. But in northern countries, a machine, coarse and heavy, finds a pleasure in whatever is apt to rouse and agitate the spirits; such as hunting, travelling, war, and wine: and it will not be denied, that gaming is at least as likely to produce this effect as any of the foregoing.

Experience seems to countenance this theory. Tacitus † informs us, that the ancient Germans were passionately addicted to

* Sallust says, that the people of Africa, and the Numidians especially, were neither fond of salt, or any other of the stimulants to appetite. Bell. Jugurthin.

† Aleam (quod mirere) sobrii inter seria exercent tanta lucrandi perdendive temeritate ut cum omnia defecerunt extremo & novissimo jactu de libertate & de corpore contendunt. Tacitus de morib. German. cap. xxiv.

this

this vice, which is still, indeed, very prevalent among their modern successors. The * Canadian savage is equally fond of it, as it affords an interesting occupation to him in the intervals of war and hunting, and serves to dispel that sluggishness and inactivity, which the usual affairs and transactions of life have not sufficient stimulus to effect. Warm climates, on the contrary, are but little addicted to this vice; it is with them a matter of diversion merely; whereas, among the people of cold climates, it is a business, and one of the most serious nature. Thus the Turks, although fond of some kinds of play, chess and draughts for instance, make it a rule not to play for money †, but use it merely to consume an idle portion of time in an indolent amusement, which the climate would prevent being employed in an active occupation.

C H A P. IX.

EFFECTS OF A COLD CLIMATE ON THE MORALS.

THE catalogue of vices here, is much shorter than in the former: and they mostly arise from circumstances in their disposition, which are in the main laudable.

S E C T. I. *Proneness to acts of violence.*

The ferocious courage of this people is sometimes apt to prompt them to acts of sudden violence. This was the case

* *Lafitau mœurs de Savages. Charlevoix Hist. of Canada.—Carver's Travels, p. 244.*

† The Arabs never game for money, or any thing valuable. Adventures in the course of a Voyage up the Red-sea, by Eyles Irwin, Esq; p. 285.—It is forbid in Japan, on pain of death.

with the ancient Germans, who were apt to kill their servants, and sometimes one another, in their fits of anger; and many invasions of property were little censured, when accompanied with marks of courage and boldness. Cæsar * says of the ancient Germans, that robbery and plunder, beyond their own confines, was esteemed no disgrace, but rather a laudable exercise, that preserved the youth from idleness. And † Tacitus appears to account the Chauci an exception to the other German nations, in that their country is not laid waste with acts of violence and robbery.—But I shall speak more on this subject, when I come to treat of the laws.

SECT. II. *Drunkenness.*

From a desire, likewise, of exerting their powers and abilities, and of a mutual and unreserved communication of sentiments, as well as from the necessities of the climate, is derived the custom of indulging in the use of strong liquors, so frequent in cold countries. The Germans, Tacitus ‡ tells us, used to consult over their cups, and during their entertainments, concerning the reconciliation of enmities; forming connections by marriage; the chusing of princes or chiefs; and even of war and peace; being of opinion, that the mind is never better prepared for the consideration of common events, or to be warmed and excited by great ones. This people being neither artful nor cunning, the liberty of speech, which is usual under such circumstances, caused them to disclose all their secrets to one another.

This vice, as Mr. § Montesquieu observes, though with some

* Comm. lib. vi.

† Germania.

‡ Taciti Germania, cap. xxii.

§ Spirit of Laws, book xiv. chap. 2.

exceptions,

exceptions *, predominates through the world, in proportion to the coldness and humidity of the climate. If we go from the Equator to the North Pole, we shall find this vice increasing together with the degree of latitude. If we go from the Equator again to the South Pole, we shall find drunkenness travelling south, exactly in the same proportion to the decrease of the heat.

Drunkenness, however, is much less culpable in a cold climate, than in a hot one; as in the former, the hospitable † disposition of the people, and the necessity of the use of strong liquors to a certain degree, naturally lead to it. Hence the drunkenness of a Spaniard is less excusable than that of a German; as in the former, it is the result of mere wilfulness; but in the latter, only the excess of a natural disposition. Drinking also is less criminal in cold countries, as its effects there are known to be less pernicious both to the individual and to society. In a hot climate, a drunken man is absolutely frantic and wild; but in a cold one, it only renders him heavy and stupid.

S E C T. III. *Gaming.*

For gaming, which is also, as I apprehend, a vice of a cold climate, (though to this, as well as the other, there are exceptions) there is, I fear, less apology to be made. The circumstances, however, of the climate, that lead to this vice, I have before recited.

* Xenophon describes the ancient court of Persia as very drunken, both in his Institution of Cyrus, and the Expedition of Cyrus; and Tavernier and Chardin give a similar account. It should, however, be remarked, that Persia lies in about 32 or 33 degrees of north latitude, and is extremely hilly, so that the climate is not excessively hot.

† Tacitus tells us, that the Germans principally practised this vice in company. Germania, cap. xxi, xxii.

S E C T. IV. *Decency of conduct and behaviour.*

The virtues belonging to cold climates are more numerous, though for the most part of the negative kind. In general, however, decency of behaviour and conduct is preserved much better in cold climates than in the opposite ones. Vice, among them, is not made a subject of jest or merriment, but of abhorrence; nor is corruption attempted to be excused from the pretence of its being fashionable. In short, as Tacitus says of the Germans, a good system of manners is with them a greater restraint, than good laws are in other countries *.

They are likewise less debauched with regard to women; and marriage is more respected, and the adherence to its obligations more faithful. † Tacitus observes, the marriage contract is held very sacred among the Germans; nor is there any part of their moral character more worthy of commendation. This superiority of the morals of cold climates, especially in the latter instance, over those of warm, is owing to several causes.

First, the versatility of the temper of the inhabitants of the latter, prevents any lasting attachment to the same object, and contributes to introduce polygamy; a thing incompatible with a tender affection, which will endure no rival in a regard of this kind. Another reason why these connections are not so durable as with us is, the natural inequality which there is in those climates between the sexes; women in hot countries are marriageable at eight, nine, or ten years of age. Thus Mahomet married Cadisjah ‡ at eight, and took her to his bed at nine

* Nemo illic Vitia ridet, neque corrumpere atque corrumpi seculum vocatur. —Plurique ibi boni mores valent, quam alibi bonæ leges. Taciti Germania.

† Taciti Germania, cap. xviii.

‡ Mr. Le Brun observes, that the Persians marry very young. Travels, vol. iv. p. 260.

years old. Hence, in those countries, infancy and marriage almost always accompany each other. They are past child-bearing, and even old, at twenty: Their reason, therefore, never accompanies their beauty; when that demands the empire, want of reason forbids the claim; when reason is obtained, beauty is no more. It is therefore natural enough in these climates, where no law forbids it, for a man to leave one wife to take another, and that polygamy should be introduced.

But in cold climates, the attachment of the people is more permanent, and the sexes better suited in every respect for a durable connection; and consequently, there is neither any natural cause or pretence for the same licentiousness of manners.—It is probable, that this equality or balance, that there is between the sexes in cold countries, is no inconsiderable cause why the offspring are more robust than in hot. Tacitus says of the Germans, that the young men avoided an early intercourse with women, which preserved their strength and vigour. The females also did the same with respect to the other sex. The union was made between persons of the same time of life, and similar size of body. The strong and healthy were united together; and from thence, the children inherit the strength and robustness of their * parents.

Cæsar † too says of the same people, that they esteem those men the most, who have the longest preserved their virginity; which they believe contributes to their growth, vigour, and strength of nerves; but nothing is reckoned so ignominious, as to be connected with a woman before they have passed the twentieth year of their age.

* Taciti Germania, cap. xx.

† Cæsar. Comm. lib. vi. cap. 10. § 21.

S E C T. V. *Candour and openness.*

From the confidence and security produced by the courage and resolution incident to the climate, the people are more open and candid in their dealings and transactions. Of this I have before spoken, and is a general observation.

S E C T. VI. *Constancy and resolution.*

From the little levity that prevails in cold climates, the people are more fixed in their resolutions, and constant in their promises and attachments; and of consequence, more fitted for social intercourse in general.

S E C T. VII. *Activity and industry.*

Activity and industry, as I have before remarked, are virtues of cold climates. This, however, is confined chiefly to bodily exertion, and has little reference to mental employments.

C H A P. X.

MORAL CHARACTER OF THE PEOPLE OF TEMPERATE CLIMATES.

THE moral character of the people of temperate climates is of a mixed kind, though considerably more inclinable to * virtue, at least the practical part of it, as far as regards external actions, than those of hot ones. Their greater acquaintance with

* *Temperatæ regiones disponunt egregiè ad Virtutes.* Hoffman de Temperamento fundamento, &c.

the nature of trade, and the necessity of a mutual confidence, especially in large concerns, renders them less knavish and deceitful. Their consciousness of superiority, both in courage and in military science, renders them less cruel; and their sense of the necessity of decency of conduct and behaviour, in order to preserve the police and form of government, prevents scandalous or open violations of morality.

The confidence in their power and abilities, of which I have just spoken, is, I imagine, productive of another good effect, in rendering the people less selfish and interested, and in infusing into them a degree of public spirit and regard for their country, and mankind in general. When a man lives in daily fear for his person or property, all his regards are centered in himself, or confined to his nearest connections; and the farther he enlarges his views, the more he thinks he increases his danger. But when a man esteems himself and his connections to be in a reasonable state of security, the human mind, naturally active, seeks for employment elsewhere; and in those, whose dispositions are inclined to virtue, settles in promoting the good of their country, or the interests of mankind in general.

This is a circumstance highly advantageous to the public; and accordingly we see, in the temperate climates of Europe, that the interests of every state are better understood, and more attended to, both in their commercial and political capacity, than in any of the other quarters of the world; and that, accordingly, they formerly had, and still retain, the pre-eminence.

CHAP. XI.

OF THE EFFECTS OF A WARM CLIMATE UPON MANNERS AND BEHAVIOUR.

WARM climates have been long ago observed to be earlier, and more completely civilized, than cold ones. Asia, * Hippocrates remarked to be more mild and temperate than his own country; and the manners of the people are more refined and cultivated.

But although this be the case, I believe that this boasted politeness consisted then, as it does now, in the observance of certain fixed and stated ceremonials; and had little of those embellishments from wit, ease, freedom of conversation, and other occasional attentions, which constitute among us the perfection of an intercourse of this kind. The characteristic of the behaviour of these people, seems to have consisted chiefly in two circumstances, which indeed are nearly connected; *great reserve*, and *much ceremony and compliment*.

Herodotus † tells us, that Deioces, the king of Media, established it as a rule, that very few persons should be permitted to see him; and that to laugh or spit in his presence, should be accounted indecent; not doubting, says the author, that those who were debarred from seeing him at all, would easily be induced to think him of a superior nature to themselves. Diodorus ‡ Siculus says, that Ninias, king of Assyria, established rules of a similar kind, and with the same intention. The behaviour of the ancient Persians also, was extremely silent and reserved. Silence || was

* De aeribus, aquis, & locis.

† Book i.

‡ Lib. ii.

|| Amm. Marcell. lib. xxi. cap. 13.

with them a deity. They held it impious to speak at † meals; even sentence of death was sometimes pronounced by ‡ signs. In Spain also, at present, the behaviour of the people is extremely distant and reserved. This style of behaviour is connected with the nature of the government that prevails in hot climates. In all despotic empires, there is very little personal communication between the prince and his subjects; he is kept from the public eye, and known only by report. As this mode of government is founded on the passions of men, and not upon reason, and principally on the passion of fear, it is conducive to the encouragement of this passion, that such a mode of behaviour should be kept up, in order that the idea of the sovereign may strike greater || terror, by his person not being familiarised to the senses; it being a property of obscurity §, to act more forcibly in impressing fear, than a thorough knowledge of the object, however terrible. Besides this general reserve, a high degree of form and ceremony prevails, not only with respect to the prince, but also in the common intercourse between individuals. In Persia, a certain ceremonial was not only requisite in addressing the sovereign, but the same was observed in a great measure through all ranks of people. The

† Quint. Curtius, lib. iv.

‡ Theophylact. Simocatt. lib. v. cap. 5.—Hence, perhaps, the use of mutes in the East.

|| It is well known, that expressions of submission, homage, and reverence, always have been, and are still, carried to a great degree of extravagance in the eastern countries. When Joseph's brethren were introduced to him, they bowed down themselves before him with their faces to the earth. Genesis, xlii. 6. The kings of Persia never admitted any one to their presence, without exacting this act of adoration, for that was the proper name for it. "Ne-
pos in Conone. Plutarchi vita Themistoclis."—Alexander also affected this instance of oriental pride. Q. Curtii, lib. vii. and Plutarch. Vit. Alex. Lowth's Isaiah, Notes on ch. xlix. 23.—Strabo says, that the king of Ethiopia is regarded as a deity, and is always shut up in his palace. Lib. xvii.

§ Sublime and Beautiful, part ii. § 3.

same is the case at this day, both in that country, and in India; and still more remarkably in China. In the latter, this is carried to an * extreme degree, and is part of the law of the country, and the constitution of the state: the people are daily reminded of it by the head of the family; and twice in every month the Mandarins assemble to instruct the people in these duties particularly. They think that form and ceremony are the barriers which men have erected among themselves, to prevent the corruption † of one another.

This mode of intercourse, however, although inferior in point of elegance to the European manners, and destitute of the advantages arising from a communication of sentiment and information, is not ill adapted to the situation and character of that people. Their timid and suspicious disposition, renders them unfit for mutual confidence, or dependence upon one another: their desire of revenge would make such trust unsafe, especially under a government wherein every intrigue, every thing that has the least tendency to interrupt the peace, is most severely animadverted. The legislatures, therefore, of these countries, have, in order to supply the defect of a free communication, established a form of behaviour adapted to the several purposes above mentioned, and calculated also to suit the indolent and ignorant character of the people. Some part of our modern system of politeness (perhaps imported from the eastern empire, at the time of the

* "Instead of a complimentary speech in addressing a superior, the Chinese deliver the compliment in writing, the smallness of the letters being proportioned to the degree of respect intended; and the highest compliment is to make the letters so small, as not to be legible." Vide Note to Elements of Criticism, vol. i. chap. 15.

† "We took our leave of the vizier of Yambo, amidst a profusion of high-flown compliments, which we had neither the capacity nor inclination to return. The natives of the East are so habituated to this mode of speech, that well-turned compliments fall from their lips with inexpressible readiness." Adventures in the Course of a Voyage up the Red-sea, by Eyles Irwin, Esq; p. 67.

* Crusades) appears borrowed from the ceremonial of a warm climate, as it consists in a great measure in the endeavour to save any exertion, or, as it is commonly called, trouble, to the person to whom the compliment is intended. But this, when carried to the degree we sometimes see it, becomes highly absurd, and even ridiculous, as it seems to suppose a degree of imbecillity or incapacity in those to whom we mean respect; and is farther so, in supposing, that in a moderate, or rather cold climate, a slight use of the limbs could be a trouble or fatigue. Some of the titles of honour, likewise, that prevailed in the East, favour of the indolence inspired by the climate. Thus the titles of *Manfuetudo*, † *Tranquillitas*, and *Serenitas*, which were all used in the eastern empire, seem to have been of this kind; and were applied to emperors, as majesty is now to kings. The title of *Serenity* is still in use in some parts of Europe.

It is observable, that in hot climates, the mode of manners and behaviour continues for a long time unchanged. Thus the form and ceremonial of behaviour is the same at ‡ this day in Persia and India, and probably in China, as it was two thousand years ago.

The cause of this immutability, is a curious object of enquiry. One reason given for it by Mr. Montesquieu is, the high degree of sensibility which a hot climate naturally inspires, which is almost constantly joined with an indolence of mind, connected with that of the body; so that when a considerable impression is made, and a habit formed by custom, the laziness of the people prevents their making any efforts to break through it.

Another reason, and perhaps a more satisfactory one, is derived from the nature of the government, which in such countries is

* For an account of the effects of the Crusades in polishing and improving manners, see Robertson's Hist. of Charles V, vol. i. § 1.

† See the Dedication of the History of Eutropius to the Emperor Valens; and Selden's Titles of Honour, part i. ch. 6.

‡ See more on this subject, on the Effect of Climate on Laws and Customs.

almost always despotic. The fear and mutual jealousy in which the people live of one another, prevents that freedom of communication that takes place in a country of liberty. People there, are not so much objects of imitation or confidence to one another, as of distrust and jealousy; and the timidity inspired by this government is so great, as to deter any from attempting innovations.

In all probability, this uniformity of manners is, in its turn, a powerful cause of the uniformity of the government. By long use they have acquired a connection, and prove a mutual support to each other. A new form of manners and behaviour, would inspire a new set of ideas and sentiments, and tempt them to call in question many of those maxims and opinions, on which the form of the government * depends.

But the most powerful cause of this immutability is, perhaps, the confinement of the women, and their consequent exclusion from influence in society. In other countries, where there is a free intercourse between the sexes, the desire women have of pleasing, and the desire men also have of giving them pleasure, by indulging their curiosity and taste for variety, produces a perpetual change of manners and behaviour.

CHAP. XII.

OF THE INFLUENCE OF A COLD CLIMATE ON THE MANNERS.

THE manners of the northern nations, in comparison with those of warm climates, appear rough and austere. Their address is usually blunt and unpolished; and they have few cere-

* Spirit of Laws, book xix. ch. 12.

monials to regulate their behaviour. There is likewise a want * of decorum, and a grossness in their manners, that characterise them very strongly. This is easily to be accounted for from the character of the people; who possess little sensibility, are of a bold and resolute spirit, and accustomed to robust bodily exertions. Add to this, that the fair sex are little regarded among them.

The manners of cold climates are also much less permanent and uniform than those of hot. The manners of the vast empire of Russia were changed in a great measure in a single age, and without producing any revolution or violent convulsion in the state: such a change would probably never have succeeded in the eastern countries; or if it had been forcibly introduced, would probably have overturned the system of government, and have cost torrents of blood in its establishment. But in that frozen climate, new manners furnished a new field for activity and employment, and served to excite ambition and desire of distinction in the one sex, and curiosity and vanity in the other: they were, therefore, received with a more ready acquiescence.

C H A P. XIII.

ON THE EFFECT OF TEMPERATE CLIMATES UPON THE MANNERS.

POLITENESS and elegance of behaviour have always attained to the greatest perfection in temperate climates: this has been owing in some measure to the greater perfection of arts in general. But I apprehend, that the disposition of the people to activity, joined with a degree of sensibility; and a government

* Vide the rules of behaviour at the Court of St. Petersburg.

with

with some share of liberty, and which consequently admits of a free communication of sentiment, are the principal reasons.

The last of these, as far as relates to a free intercourse of company and conversation between the sexes, is perhaps the most active cause of any, and subsists only in moderate climates; the female sex, in cold ones, being disregarded, and in hot ones, being in a state of confinement. While in Asia the fair sex are considered only as a possession, in Europe they are objects of tenderness, esteem, and rational attachment. This inspires a habit of attentive and respectful behaviour; their beauty excites admiration and love; and even their very weakness adds force to their influence, under the idea of delicacy. Generosity prevents oppression, where there can be no resistance; and rouses valour and gallantry in their defence. Whatever they say is heard with peculiar attention; and even their * foibles are construed into perfections. Besides, by their being at liberty, they are enabled to take a part in the business of the world; to manage domestic affairs, which are there regarded as their peculiar province; and to bear an almost equal part in the adventures of life; and thus to render themselves objects of esteem, when their personal attractions are no more.

Another circumstance highly favourable to the influence of the fair sex, in moderate climates, is, that in them their beauty and understanding accompany each other; so that a woman is at the same time an object of passion and of respect. This circumstance, joined to that of there being but one object, (polygamy not being practised) and of consequence the hopes of offspring depending on her only, enhances much their consequence in society: and of course tends to render the manners of the other sex such as are agreeable to them; that is, attentive, polished, and elegant.

* Burke on the Sublime and Beautiful, book iii. § 9 and 16.

In Asia, the case is directly the reverse; the women are there secluded from conversation with the other sex, and are regarded chiefly in the light of an object for the gratification of passion; and even this regard is divided among a number. Their beauty is transient, their manners disposed to be profligate, and their minds uncultivated; they bear no part in the affairs of life, and are esteemed to be in * an inferior station in point of rank; consequently, they can neither be objects of respect, esteem, or rational attachment. No wonder then, that the other sex should be little disposed to cultivate a mode of behaviour adapted to their inclinations. In very cold countries, the fair sex, though under no restraint in point of personal confinement, are, as I have before remarked, but little respected; and of consequence their intercourse with the other sex has but little effect upon the manners. In Russia, until of late years, they were held to be scarcely superior to domestic servants; were accustomed to be beaten, at the pleasure of their husbands; and even the sign of espousal itself, was an instrument of chastisement. By communication with other nations, this brutality is in a great measure worn off; and Russia, in consequence, rises in the esteem and respect of Europe: enough, however, is yet left to shew the natural disposition of the people.

Some respectable writers have attributed this situation of the female sex in cold climates, to the rude state of the people, but without reason. Our ancestors, the ancient † Germans, whose country, though cold, was not extreme in degree, held the fair sex in the highest estimation, and even veneration; and the same

* Grinding corn, a work the most laborious and most mean of any, in the East, was always performed by female slaves, and is so at present.—Exodus, xi. 5. xii. 29. Matthew, xxiv. 41. Homer's Odyss. xx. 105, 108. Shaw's Travels, p. 297. Harmer's Obs. i. p. 153.

† Vide—A View of Society in Europe, by Dr. G. Stuart; and Tacit. German. ch. viii. and xviii.

is the case with the savage nations in some of the more temperate climates of America.

I shall conclude my observations on this head, with the following remark of a great writer : that " it is * an happiness to live in those climates that permit a communication between the sexes ; and where that sex which has the most charms, conspicuously embellishes society ; and where wives, reserving themselves for the pleasure of one, contribute to the amusement of all."

The same reasons which contribute to render the manners of temperate climates more polished and elegant, render them also more variable and inconstant. The fickleness of disposition, inspired by the mutable and ambiguous nature of the climate ; a degree of freedom, or at least moderation, in the government ; and the influence of women in these points, which they esteem as particularly within their province, account for this very fully. Perhaps it is owing to this mutability, that the elegance of manners itself is to be ascribed, as in such a case there is a capacity, and an incitement to improvement, which cannot take place in the eastern empires ; and though every change may not be for the better, it still tends to promote a spirit of enquiry and examination, which generally terminates in a reformation of whatever is most exceptionable, either in morals or behaviour.

CHAP. XIV.

INFLUENCE OF CLIMATE UPON THE INTELLECTUAL FACULTIES; AND FIRST OF A HOT CLIMATE.

SECT. I. *On literature.*

THE same causes that influence the disposition and manners, have also had a proportionable effect upon the intellects. In speaking of the former, I mentioned the high degree of sensi-

* Spirit of Laws.

bility with which the people of hot climates were endued, as the leading principle and key to their character. The same holds good with respect to the mental powers. Hence the fruits of fancy and imagination * have always abounded most in the south. To them we owe the invention and embellishment of that mythology, and those early traditions, which continue to furnish the materials of fancy, and the field of poetic allusion. Perhaps it is to them we owe the poetic style itself, as the most ancient models with which we are acquainted, are derived from that quarter. Nor is this turn of the people confined to a certain class, or to those only who have received the advantages derived from rank and education, but prevails generally through the people at large. Le Brun tells us †, that the Persians in general love poetry above all things, in which they are fond of exhibiting the most lively and brilliant efforts of genius. Poetical disputes, even now, are much in vogue among the ‡ peasants in Minorca:—one of them sings some extemporary verses on whatever subject he pleases, and accompanies them with the music of his guitar; he is immediately answered in the same number of unpremeditated lines by another, who endeavours to excel or ridicule him; and this alternate contest lasts, to the no small amusement of their attentive companions, until the wit of one of the rival poets be exhausted. These are the carmina amœbæa of the ancient Greeks; in imitation of which, some of the pastorals of Theocritus and Virgil were written.

Even the people of Otaheite ||, rude and uncultivated as they were, had their alternate verses regularly digested into rhythm and

* Fancy, as it is produced by sensibility, strengthens the latter again in its turn.—Shenstone.

† Travels, vol. iv. p. 92. edit. 4to, 1726.

‡ Cleghorn's Account of Minorca.

|| Forster's Account of Otaheite.

order; and many of them terminating in rhyme, resembling, in several instances, the carmina amœbæa above described.

I shall take, as a specimen of the eastern poetry, one of the most ancient as well as authentic of these compositions; I mean that elegant performance, known by the name of Solomon's Song. This is undoubtedly a poetical work, though, I believe, not reduced into any metre with which we are acquainted. This, however, is no objection to its claim to that character: perhaps it is more poetical on that account.

A writer of the greatest taste, as well as judgment, has observed, that the Psalms of David, even in our translation, are more poetical than any metrical version now extant: and the same is nearly true of the present performance; at least I think that Mr. Prior's version of it, in his poem of Solomon, which I believe to be at least as well done as any version of the Psalms that has yet appeared, is less poetical than the original.

With respect to the sentiment, we find there a tender, yet animated description of the passion of love, great beauty and richness of imagery, and fertility of idea and imagination. The superior sensibility of the author has, indeed, caused the expression to be more plain and undisguised than our manners admit: but this is the general style of the eastern writings. For the same reason, many of the comparisons or similes * with which this work abounds, appear faint and strained to our ideas. But

* Behold thou art fair, my love; thy hair is as a flock of goats that appear from Gilead. Thy teeth are like a flock of sheep that are even shorn, that come up from the washing, whereof every one bear twins, and there is none barren among them. Thy lips are like a thread of scarlet. As a piece of pomegranate are thy temples within thy locks. Thy neck is like the tower of David builded for an armory, whereon there hang a thousand bucklers, all shields of mighty men. Thy two breasts are like two young roes that are twins, which feed among the lilies. Thy eyes are like the fish-pools in Heshbon, by the gate of Bathrabbim. Thy nose like the tower of Lebanon, looking towards Damascus.—Solomon's Song.

this

this is perfectly consonant to the character of that people, among whom * luxuriance of imagination was more studied than accuracy of sentiment and expression. It is also probable, that the great familiarity and local nature of the objects to which those compositions allude, together with the high degree of feeling incident to the climate, might make the resemblance much greater than our imaginations, unused to such bold comparisons, and probably unable to enter into their peculiar beauty and energy, can comprehend.

Similies †, indeed, were the favourite ornament both of speech and writing, among the eastern nations; and are so at present. The ‡ smallest similitude, or resemblance, will sometimes occasion, in their fertile imaginations, such indulgence and liberty of invention, as to give birth to some strange report or marvellous narration. We see the same disposition in all their compositions, both ancient and modern, particularly that now under consideration. The Turkish Ode of Mefihi also, translated by Mr. Jones, in his elegant collection of Asiatic poems, bears a striking resemblance to the Song of Solomon, both in the scenery and the comparisons.

* The Arabian language is so superior in elegance to the rest, that this people, in other respects so remarkable for their simplicity, exceed all other nations in the delicacy of their expression, and the agreeable wildness of their images.—Adventures in the Course of a Voyage up the Red-sea, p. 67, by Eyles Irwin, Esq.

† Vide a Note on the second Chapter of Isaiah, verses 13—16, by the Bishop of London.

‡ Shaw's Travels, speaking of the Arabs.

SOLOMON'S SONG, Ch. ii.

ODE OF MESIHI.

MY beloved spake, and said
unto me, *Arise, my love, my
fair one, and come away* : for lo,
the rain is past, the winter is
over and gone. The flowers ap-
pear on the earth; the time of
the singing of birds is come,
and the voice of the turtle is
heard in our land. The fig-tree
putteth forth her green figs;
and the vines with the tender
grape, give a good smell. *A-
rise, my love, my fair one, and come
away.*

As a cluster of camphire in
the vineyards of Engedi, I am
the rose of Sharon, and the lily
of the vallies. As the lily a-
mong thorns, so is my love a-
mong the daughters. As the
apple-tree among the trees of
the wood, so is my beloved a-
mong the sons.

THOU hearest the tale of the
nightingale, that the vernal
season approaches. The spring
has spread a bower of joy in
every grove, where the almond-
tree sheds its silver blossoms.
*Be chearful, be full of mirth, for
the spring passeth away, it will
not last.* The groves and hills
are adorned with all sorts of
flowers: a pavilion of roses, as
the seat of pleasure, is raised in
the garden. *Be chearful, be full
of mirth, for the spring passeth a-
way, it will not last.*

The edge of the bower is fill-
ed with the light of Ahmed.
Among the plants, the fortunate
tulips represent his companions.
The dew glitters on the leaves
of the lily, like the water of a
bright scymitar. The roses and
tulips are like the bright cheeks
of beautiful maids, in whose
ears the pearls hang like drops
of dew. Thou art a nightingale
with a sweet voice, O Mesihi!
when thou walkest with the
damsels, whose cheeks are like
roses.

Themistocles,

Themistocles, the Athenian general, was so sensible of the custom of using this mode of speaking, that when introduced to the court of Artaxerxes, he employed this * symbolical and figurative style of expression, comparing a man's discourse to a rich Persian carpet variously wrought and figured, the beautiful images and proper figures of which are best represented when they are clearly and fairly opened; but when they are contracted and folded up, they are obscured and lost. Perhaps this disposition may arise from the same source with that of their talent for imitation, which was observed in them of old †; and is the case at present. A great writer ‡, indeed, whose taste and judgment it were presumption to question, has ascribed the faintness of the resemblance, in the passages above quoted from the Song of Solomon, to the situation of the people at that time in point of improvement, as being a nation just then emerging out of barbarity, to whom the beauties of language are newly discovered; and from the attachment to them, procured by their novelty, carried beyond moderation. But I am very doubtful if this character will suit the Jewish nation at that period, who seem, instead of being in a state just rising from obscurity, to have long been the seat of what literature and arts were then in the world.

Milton, whose taste and judgment were superior perhaps to those of any other man, has delivered it as his opinion, that some compositions of that nation, prior to the performance now under consideration, are, exclusive of their subject and divine argument, superior in the critical art of composition to all other lyric || poetry. It is therefore, much more probably, owing to

* Plutarch—Life of Themistocles.

† Strabo, lib. xv. Hist. Indiæ.

‡ Lord Kaimes—Elements of Criticism.

|| Preface to the second book of the Reason of Church Government. Vide also Paradise Regained, book iv. l. 331, et deinceps.

the natural * disposition, which suggested a great redundancy of ideas, than to the cause assigned for it by this ingenious author.

But sensibility and passion are not the only marks which distinguish this poem to be of eastern original; there also appears in it, if I may use the expression, a high degree of flowery indolence, much resembling the scenes described by Anacreon, which were not unlikely to be borrowed from some eastern compositions.

This will appear still more probable, if we consider the resemblance between the following passages in the Song of Solomon, and part of the third ode of Anacreon.

* A richness and profusion of imagery, in which the mind is so dazzled as to make it impossible to attend to that coherence and agreement of the allusions, which we should require on every other occasion, gives an idea of great magnificence, and is a source of the sublime; as is well observed by Mr. Burke, who has quoted two passages, one from Shakespeare, and another from the book of Ecclesiasticus, both of which are parallel, in a great measure, to the expressions and sentiment in the book of which we are speaking.—Vide Sublime and Beautiful, p. ii. ch. 13. Vide also, as an instance, ch. v. verses 10, 11, 12, 13, 14, 15, 16. of Solomon's Song.

SOLOMON'S SONG, Ch. v.

I Sleep, but my heart waketh :
it is the voice of my beloved
that knocketh, saying, " Open
to me, my sister, my love, my
dove, my undefiled; for my head
is filled with dew, and my locks
with the drops of the night."
I rose up to open to my beloved,
and my hands dropped with
myrrh, and my fingers with
sweet-smelling myrrh, upon the
handles of the lock.

ANACREON, Ode iii.

IN the midst of the silent night,
when the Bear-star is got to
the right of Bootes; when deep
sleep falleth upon the fatigued
labourer, love approaches on a
sudden, and knocks at the door.
Who is that, I cry, that shakes
the house, and disturbs my re-
pose? Open to me, cries Cupid,
and fear not the boy. I am wet,
and have long wandered about
in the thick darkness of the
night. His piteous complaint
moves my compassion: I turn
the lock, and open the doors,
when the winged boy appears,
bearing his bow and arrows.
Taking him to the fire, I
chafe his tender hands with
mine, and press the dewy mois-
ture from his dropping locks.

The severer studies, however, and such as require diligence and perseverance, as well as genius and sensibility, have been less successful in hot climates; scarcely any of the Arabian writers deserve the title of historians. And although we have some later accounts of historical compositions * in the East Indies, the speci-

* Vide Dow's History of Indostan, and Richardson's Preface to his Persian Dictionary.

mens already produced, give us no reason to expect that they will dispute the palm, in this species of composition, with the Greek or Roman historians, or even with those of our own country.

In natural philosophy *, their inferiority is still more remarkable. This science is at present at its lowest ebb in these countries: and though it formerly shone with some degree of lustre, its brightness was but comparative, being always not only greatly clogged and obscured with hypothesis and fanciful conjecture, but also unsupported by fact and experiment, the only solid basis on which philosophy can safely stand.

In medicine, indeed, the Arabians seem principally to have excelled; and in this branch, some of them merit regard. Several new disorders, as the small-pox † and spina ventosa, by Rhazes, have been described with care and accuracy; and some new medicines, as sena, rhubarb, manna, &c. introduced; but the generality of their writings are only tedious comments on the ancient Greek authors, Galen and Hippocrates particularly, whom, nevertheless, they have by no means delivered down to posterity in their native and simple form, but disguised and depraved with their own vain fictions and subtle speculations. Some, however, of the Arabian physicians, have adopted notions more just and liberal. ‡ Avenzoar, the most judicious, lays it down as an axiom, that experience only is to be the guide in medical practice; and that the curative art is not to be learned from the subtilities of logic and sophistry, but by constant and daily attention to practice, joined with exquisite judgment.

* The Arabians not only made no improvements in mathematics, but did great injury, by corrupting and interpolating the text of Euclid, and other writers on mathematical subjects. Botany also received great injury by the same means. —Friend's Hist. of Physic.

† Friend's Hist. of Physic, book ii.

‡ Friend's Hist. of Physic, Life of Avenzoar.

But the sentiments of this great man varied much from those of the age in which he lived. On account of the foregoing doctrine, afterwards revived by Bacon with so much advantage to philosophy, he was esteemed an empiric by his contemporaries, and is so styled in the writings of that age; although he was so little liable to the imputation, that he ridicules the folly of stated receipts and general prescriptions, and ranks them with the tales of old women, and the absurdities of astrology.

Logic and moral philosophy have suffered still more in their hands. When, after the destruction of literature in Europe, it had a transient revival in Egypt and Arabia, the writings of the Greek philosophers, Aristotle particularly, fell into their hands; whose nice and subtle distinctions and arrangements suited the inconstant and curious disposition of this people, who presently erected, upon his foundation, a most tremendous and bulky system of Ethics, calculated to prolong argument, and raise the reputation of the disputant; but by no means fitted for the investigation of truth, or the improvement of morality. The consequences of this have been highly detrimental to science, as it has introduced a mode and style of argumentation, wherein victory, more than truth, was the object; the bad effects of which have been severely felt, both in philosophy, morality, and religion.

I have spoken thus far on the effects of a hot climate on the intellectual faculties, as they regard literature. Let us now consider them with respect to inventions and arts.

S E C T. II. *On inventions and arts.*

The sensibility and vivid imagination of hot climates, has been favourable to suggesting discoveries. Thus we find most of the useful inventions of life were originally derived from thence.

There is great reason to believe, that even * language itself, at least the composition of a regular one, was derived from the East; and that the art of writing came from the same source. The art of sowing corn and making bread, was introduced from Egypt; in which country † Isis is said to have taught the culture of wheat and barley, and Osiris that of the other fruits. Bacchus ‡ also is reported to have brought the use of the plough, and the art of planting vines, and of making wine, from India. The use of silk also was an Asiatic invention; and the still more important ones of printing, gunpowder, and the magnet, were discovered in the East long before their appearance in Europe. Others might be mentioned, but the above are sufficient.

The arts of mechanism || and manufacture, commonly styled the arts of life, are also of the greatest antiquity; and, in many instances, have made the greatest progress in hot climates. The taste and sensibility of that people, are displayed to great advantage in the § elegance of many of their manufactures; which far surpass those of Europe: as a proof of which, the imitations of them are always the most admired and sought after among the European manufactures.

Even war itself, considered as an art, is of greatest antiquity in hot climates: and it was not until after a long intercourse

* Cadmus and Prometheus are said to have brought the alphabet from Phenicia.

“ Lo, where the morning gilds the palmy shore,
The soil that arts and infant letters bore.” POPE.

† Diodorus Siculus, lib. i.

‡ Arrian, Hist. Indicæ, liber.

|| Ferguson on Civil Society, part iii. § 1.

§ Strabo observes the elegant taste of the East Indian people in matters of ornament, lib. xv.

with

with the people of the South, and repeated * instruction in this art, that the northern invader was enabled to complete the conquest of the southern countries.

It may perhaps be asked, If this be the case, whence arises that military superiority which the people of cold climates have always maintained over those of hot? To this we may answer, That although war, as a science, was better understood in the South, those people were always, as has already been mentioned, highly deficient in fortitude and military prowess. Though possessed, like the Chinese at present, of the cumbersome apparatus of war, they were deficient in the virtues of steadiness, activity, and resolution: and where these are wanting, it is evident the others could be employed to little purpose.

The pride also, incident to hot climates, is mentioned by Mr. Montesquieu as a great cause of their inferiority in military affairs. The Persians, long before the conquest of Alexander, had experience of the superiority of the Grecian arms and manner of fighting; yet the flattery of courtiers, and the innate pride of the monarchs, would never permit them to doubt whether a better method might not be followed. The same disposition caused them to venture pitched battles; which ruined the Persian empire.

Other causes, however, it must be confessed, concurred to make them prefer the latter mode of deciding a contest. The cumbersome parade of a vast army, and the uncertainty and difficulty of its support, and the doubtful state of their subjects obedience, might lead them to determine a dispute at once. Lucullus, the

* Mr. Gibbon very properly accounts it a high mark of imprudence in the Romans, and what contributed greatly to the downfall of the empire, to take the northern nations occasionally into pay, and instruct them in the use of their arms and discipline. When they had united these, says he, to their own native ferocity and courage, they became irresistible.—Gibbon, *Decline and Fall of the Roman Empire*.

Roman general, was so sensible of the policy of the eastern nations, in this respect, that when engaged in the war with Mithridates, he ruined that prince's armies, not by fighting, but by spinning out the time; and, as * Plutarch tells us, "did not make a mock war of it, but pushed it on in earnest, and fixed its seat in the very bellies of his soldiers." In consequence of this mode of proceeding, he vanquished that powerful monarch with scarcely any battle. Cotta, his predecessor, by venturing too rashly a pitched battle, was defeated both by sea and land; and, had it not been for the interposition of Lucullus, would have been taken prisoner.

Another reason why the people of the East were more forward to venture pitched battles was, lest the allegiance of the remoter provinces might be shaken, as there was no firm bond of union between the several parts of it, as none were attached to the government from regard or affection. A protracted war, therefore, would give time and opportunity for the different governors and commanders to revolt and change sides. Tiribazus, for this reason, represented to Artaxerxes †, that he ought not to decline fighting, when attacked by Cyrus, as the consequence of delay would be the loss of his principal provinces.

But to return to the subject.—In those arts, likewise, which concern social intercourse, hot climates have always been remarkable. Thus commerce has ever been, and is still, successfully carried on there, as in Persia, India, China, &c. the greatest proof of which is, that the ‡ balance of trade has always been in their favour; and though this is in some measure owing to a natural cause, it shews the attention and prudence of the inhabitants in taking ad-

* Life of Lucullus.

† Plutarch, Life of Artaxerxes.

‡ Every nation that has ever traded to the Indies, has constantly carried bullion, and brought merchandizes in return.—Spirit of Laws, book xxi. chap. 1.

vantage of it. Were I to hazard a conjecture, I would say, that this was perhaps intended by Providence, to prevent the utter ruin and depopulation of that country. From the weakness of the government, and cowardice of the people, they are a prey to every invader. If then they had no means of reimbursing themselves by commerce, and of compelling, as it were, their plunderers to refund what they had seized, they must soon be utterly undone: commerce, therefore, serves to them as a national support, if not as a defence; as valour, judgment, and the resources of war, do to other countries. The arts of policy and negotiation have been said to flourish most in hot climates; but I believe this to be scarcely the case, in the sense hot climates are here understood. The political conduct, however, of the Chinese and of the Japanese, may prove at least, that they are sufficiently versed in their own interest, and attentive to it.

One circumstance, however, peculiar to hot climates, with respect to the intellectual faculties, is necessary to be remarked, which is probably owing to the increased sensibility; I mean, the early appearance of genius and understanding in the children, and its as sudden and early decline. This is observable in all hot climates, and is particularly remarkable in * South America, where this early appearance of genius is supposed to have a bad effect upon the moral character, by bringing them to an acquaintance with vice, and relish for its allurements, before their judgment and understanding are sufficiently mature to perceive its mischievous consequences. To what this early progress of youth is to be ascribed, is difficult to explain. Does the heat of the climate forward the animal and mental powers in a manner any ways analogous to its operations on the vegetable world, where the plants and trees sooner come to perfection, but are at the same time less firm and durable than those that take more time for the completion of their growth?

* Ulloa's Voyage to South America, book i. ch. 4.

Or,

Or, if this analogy should be deemed fanciful, may not the greater degree of sensibility which they possess, and which naturally accounts for their quicker perception, also afford a reason, from the levity, pride, and indolence which it inspires, for the small progress they make in knowledge in an advanced period of life?

CHAP. XV.

OF THE EFFECT OF A COLD CLIMATE ON THE INTELLECTUAL FACULTIES.

SECT. I. *On literature.*

WHILST sensibility and imagination distinguished the literary productions of warm climates, judgment, industry, and perseverance were no less remarkable in those of the northern. Hence it is easy to conceive, why poetry should be little * cultivated in northern countries; and indeed I know of scarce any poems that have appeared there, that deserve that name.

Sciences, however, perhaps more useful to mankind, have there received the greatest improvements. Thus the shores of the Baltic were formerly famous for the studies of mathematics and

* Milton appears to have been apprehensive lest the coldness of the climate should be adverse to his poetical talents:

————— Me of these
Nor skill'd nor studious, higher argument
Remains, sufficient of itself to raise
That name, unless an age too late, or *cold*
Climate, or years, damp my intended wing,
Depress'd ———— Paradise Lost, book ix. l. 41.

See also a thought of the same kind in his Reason of Church Government.

astronomy, as appears from the labours of Copernicus, Tycho Brahe, and Kepler. They seem not to have attained the palm of historical merit, although the faithful detail of public transactions, the treaties and claims of nations, and the genealogies of princes, are, in their literature, amply preserved. But the want of the consideration of their political importance, and of the actual influence they have exerted upon human affairs; the defect in knowledge of character, and of the springs of action; forbid the admission of these narrations as histories, or their being suffered to usurp the rank of the Greek or Roman writers upon this subject.

Literature and science, however, have been under considerable obligations to the North: mathematics and astronomy, I have before remarked, received there the most solid improvement; and medicine is scarcely less indebted to them. The works of the great Linnæus will always remain as the pride of northern literature. He established the utility of systematic arrangement, both in natural history and medicine; and thereby prevented much of that confusion in which both those sciences were before involved. He formed a more universal method of attaining to the knowledge of many medicinal substances, than was before discovered; and diffused a spirit of enquiry, and thirst after knowledge, the good effects of which are sensibly felt in the present age. Incited by his example and persuasion, Canada and Egypt, Lapland and Palestine, Italy and China, Spain and America, Surinam and the East Indies, besides many other places, were all visited by his pupils, with a view to the promotion of natural history and medicine. * In short, the benefit science has derived from this great man, can scarcely be estimated in the present age, as the enquiries he set on foot, and the branches of knowledge he encouraged and promoted, the future improve-

* Mr. Stillingfleet, in his Preface to his Tracts on Natural History.

ments in which must in a great measure be ascribed to him, will probably have their uses discovered and acknowledged with gratitude even by late posterity.

Moral philosophy, metaphysics, and logic, have gained but little attention in cold climates. The want of sensibility * in the people was unfavourable to the knowledge of character, or the investigation of the motives of action; and the subtleties of metaphysics and logic were ill adapted to capacities, more fitted for active employment than for speculation, and disposed rather to relish the practice, than to enquire into the nature of virtue.

S E C T. II. *Inventions and arts.*

Cold climates appear to have produced originally but few inventions or arts. Even some of those which are the most familiar to us, and apparently necessary for subsistence, were unknown among several nations, who, in other respects, were far removed from savageness. Thus the sowing and reaping of corn was unknown to the Hunns † and the Alans, and even to the ancient Germans ‡, who had not even a word in their language to express that || season appointed by nature for gathering the fruits of the earth.—The knowledge of letters was not acquired until a much later period.

But although the northern nations were slow at invention, they were not altogether deficient in capacity, as is evident from their having carried many branches of knowledge to greater perfection

* Et quanto Scythis fit cœlum asperius quam Egyptiis, tanto & corpora & ingenia esse duriora.—Justin. Lib. ii. § 1.

† Amm. Marcellin. lib. xxxi. cap. 2.

‡ Cæsar. Comment. lib. vi.—Taciti Germania, cap. xxvi.

|| Unde annum quoque ipsum non in totidem digerunt species: hiems & ver & æstas & nomen & vocabula habent; Autumni perinde nomen, & bona ignorantur.—Tacit. Germ. cap. xxvi.

than was done by those to whom they were originally indebted for the discovery.

The manufactures, however, of the most northern parts of Europe are but few in number; and although some of them are extremely good in their kind, and well adapted to the situation and necessities of the people, they have neither elegance nor variety, and shew little marks of ingenuity or contrivance in their execution. It is somewhat remarkable, that a hot and cold climate, when in the extreme, should resemble one another so nearly, as they are found to do, in some of their effects. Strabo * remarks the talent which the people of the East Indies had for imitation. The same is now observed of the Chinese † to a high degree, so as to copy even the most obvious defects, without distinguishing them from the rest of the work. A disposition exactly similar is mentioned of the Russians ‡.

Commerce, although adapted to supply the wants, does not appear to suit the genius of a cold climate. I must, however, be understood to mean, that the people in such situations are not calculated for that interested and artful attention which the perfection of this business requires: but their industry and perseverance make ample amends; and accordingly we find, that the northern countries, Russia particularly, carry on trade upon terms nearly, if not altogether, as advantageous as any of the European nations.

The arts of policy and negotiation, likewise, do not seem to be in perfection in cold climates. The frankness, openness, and native sincerity, incident to them, is by no means a match for the insidious and suspicious disposition of the inhabitants of the

* Hist. Indiæ, p. 717, Casaubon, Paris Edit.

† Don Antonio D'Ulloa says the same of the people of South America.—Voyage to South America, B. v. ch. 5.

‡ Hist. of Russia by the Abbe Chappè D'Auteroche.

southern climates. Hence the remark, which is adopted by Mr. Montesquieu, that the northern nations are apt to lose by negotiation what they gain by arms.

So far on the two extremes. But it is not, as Mr. * Ferguson well observes, in these only that the varieties of genius, before mentioned, may be clearly distinguished. Their continual change keeps pace with the variations of the climate with which we suppose them connected; and though certain degrees of capacity, penetration, and ardour, are not the lot of entire nations, nor the vulgar properties of any people, yet their unequal frequency, and unequal measure in different countries, are sufficiently manifest from the manners, the tone of conversation, the talent for business, amusement, and literary composition, which predominate in each.

CHAP. XVI.

OF THE EFFECT OF A MODERATE CLIMATE UPON THE INTELLECTUAL FACULTIES.

LET us now examine the effects of moderate climates in the above respects. It is proper to observe here, that although I speak in this work of moderate climates, as distinct from hot and cold—which I do for the sake of order and arrangement—yet that this division is not critically just.

I am obliged, in the temperate latitude, to rank countries very different from one another in point of heat and cold, and consequently differing from one another in disposition, genius, &c.

But the division I have made is such as has been before adopted on the same subject; and I have placed none in the in-

* Hist. of Civil Society, part iii. § 1.

intermediate list, but such as do not bear the marks of the extreme of either temperature, in any considerable degree. In several instances, where the tendency is towards either of the extremes, I have noticed it.

The intermediate climates have always been esteemed, both in ancient and modern times, to be the most favourable to human nature. Galen * observes the great superiority of the inhabitants of the temperate zone, over those both of the torrid and frigid; which appears both in manners and bodily accomplishments, and still more remarkably in the intellectual faculties. † Aristotle also takes notice, that extremes of temperature are unfavourable to the powers of the mind, as well as those of the body; and that a temperate region is useful to both. Later experience and observation has uniformly confirmed the truth of these remarks. The arts that have, on this scene, been repeatedly invented, the extent of man's reason, the fertility of his fancy, and the force of his genius in literature, commerce, policy, and war, sufficiently declare, either a distinguished advantage of situation, or a natural superiority of mind. What now remains, is to endeavour to account in some measure for this superiority, by describing their state and qualifications more in detail.

The qualities before-mentioned, as being peculiar to the inhabitants of hot and cold climates, require to be united, or rather a medium to be formed, in order to constitute the perfection of the human character. Thus if, with vigour and fertility of idea, perseverance, industry, and judgment be joined, the union exhibits the highest degree of human excellence with regard to the faculties. This takes place in some measure, and in a general view, in temperate situations, wherein the inhabitants partake of the properties of both, without the noxious excesses of either. It is

* Quod Animi vires, &c.

† Problem, § 13.

observed by Aristotle †, that people who inhabit a cold country are full of courage and resolution, but very defective in matters of understanding, and the arts; on which account they usually preserve their liberty, but fail in the administration of government, and seldom make conquests of their neighbours. The Asiatics, on the contrary, he says, are very intelligent and ingenious in discoveries and inventions relative to the arts, but are destitute of courage and resolution; on which account they are always in a state of subjection and slavery. But the Greek nation, being in a middle situation between the two foregoing, partakes of the good qualities of both; for it is both brave and animated, and intelligent and ingenious; on which account it always preserves its liberty, and maintains a good administration of the affairs of government, and might rule all nations, could it but acquire one uniform form of government within itself. To this we may add, as instances, the greatest part of the rest of modern Europe, part of North America, the northern coast of Africa, bordering on the Mediterranean, and part of Asia Minor. This is probably the cause of that superiority which these countries, Europe particularly, have so long maintained over the rest of the world.

S E C T. I. *On literature.*

In consequence of the foregoing qualities, the inhabitants of temperate climates, of Europe especially, have far excelled the rest of the world in almost every article of literature: even in poetry, wherein fancy and invention would be most happily employed, the more regular and temperate genius of Europe has produced works far superior to the flighty luxuriance of hot climates. A temperature, however, rather warm than cold, appears to be best suited to a genius of this kind. Thus most of the poets

† Aristot. Rhetoric.

have lived in either Greece or Italy; and although we have one in our country inferior to none of them in point of genius, yet his partiality for the Italian poets, and the advantages he thought he derived from them, shew, that in his opinion, such a soil was best adapted to the cultivation of poetical productions: even in the fabulous and romantic style, in which the Asiatics have been thought to excel the most, they have been rivalled, and even surpassed, by European performances.

A moderate climate also, or at least one where the heat is somewhat abated in its violence, appears to be the proper region of that faculty of perceiving, relishing, and judging of beauty and elegance, which we call taste. To this a considerable degree of sensibility is necessary, which is indeed the life and soul of taste. But it appears that this may be increased to too great a degree. To a good taste, not only sensibility of feeling, but steadiness of judgment also, is requisite; not solely for the purpose of choice, and selection of what is admirable, but also to give our taste a certain degree of consistence and uniformity. This is generally observed to be wanting, where the sensibility is very exquisite: accordingly we see, in the eastern performances, great beauty of imagery and expression; but such a boundless passion for variety, such inconsistency, and such improbability, as detract very much from the merit and praise to which they would be otherwise entitled. The indolence, likewise, which heat inspires, is unfavourable to correctness of composition; and though this may be carried so far as to cramp, rather than improve genius, it is still better than that licentiousness, and disregard of rule, that prevails in the eastern performances. The government also, being despotic in these countries, gives no encouragement to learning, and prevents many exertions of genius, which would otherwise appear. The same passion for ornament and show, appears also in their buildings, and even dress. A profusion of riches is ostentatiously

tationously displayed; but little judgment or taste observed in the arrangement.

In the more sober sciences, if I may be allowed the expression, the superiority is still more visible. History, geography, chronology, &c. are cultivated with most success in temperate climates. The mechanical part of history, if it may be so termed, has been much studied in the North; but the reasons I have before given, prevent their labours being admitted on a rank with history. In geography, indeed, a study which requires more toil than invention, more labour than genius, the northern nations have been more successful; but still the most considerable improvements and discoveries have been always made from temperate latitudes. Natural philosophy also, though great additions have accrued to it from cold climates, has still received its most solid improvement in moderate ones. Germany and Italy, France and England, have almost equally contributed to advance this science; some branches of which, especially in pneumatics, appear now in our own country to be making a progress more rapid than has occurred in any other science for many ages.

No part of knowledge shews the superiority of moderate climates more than Medicine. Hot climates indeed probably gave it birth, and the labours of cold ones have contributed to its support; but the reducing of it to a rational science, the laying of its foundation in fact and experience, the cultivation of the preparatory branches which lead to it, and are indeed a part of medicine itself, with most of the valuable discoveries that have been made in them, have nearly all proceeded from a moderate climate.

Moral philosophy, likewise, and its attendant branches, have received the greatest improvement in such situations. The same reasons which caused history and its concomitant sciences to flourish, have also caused this to prosper. Our own climate seems particularly

particularly adapted to the cultivation of Ethics in every branch.

Were I to hazard a conjecture, I should say, that England appears to be the country best fitted for observation, of any with which we are acquainted. Without the levity of the French, or the inactivity of the Germans, they possess a great thirst after knowledge, and desire of improvement. Their fickle and uneasy disposition, also, is highly favourable to the advancement of science, as it leads them to be dissatisfied with the present, and of course, inquisitive after what is better in future. This disposition induces a spirit of examination and enquiry. The causes and springs of every thing are attempted to be investigated, and are carefully noticed. Add to this, emulation, and a desire of distinction, which such a disposition naturally inspires. Perhaps the variability of the government may be one cause of the superiority of genius in moderate climates. Governments too steady and uniform, Mr. * Hume observes, as they are seldom free, so are they, in the judgment of some, attended with another sensible inconvenience: they abate the active powers of men; depress courage, invention, and genius; and produce an universal lethargy in the people.

S E C T. II. *Inventions and arts.*

Inventions and discoveries, I have before mentioned, appear better adapted to the quick perception and sensibility of hot climates, than the more temperate genius of moderate ones. In many instances, however, the patient, the judicious, the observant attention of the European, has produced the same inventions or discoveries with the more fertile ideas of his Asiatic rival. Thus a perseverance in experiment, though misguided as to its purpose, produced the discovery of gunpowder. Chance, joined

* Hume's Hist. ch. lxxi.

with observation, formed one more useful, and nearly as important, viz. printing; and one of equal consequence with either, the polarity of the magnet, was discovered by the same means.

The discovery, however, which does most honour to the human capacity, as being deduced solely from argument and observation, was made by one of our countrymen, the celebrated *Harvey*. I scarcely need here mention the circulation of the blood; a circumstance which had eluded the search of all the ancients and moderns before that time.

But even if we should allow to hot climates the priority in most inventions, it must be admitted, that their application to use, and their improvement, is due in a much superior degree to temperate ones; and in this respect our own has been particularly distinguished.

Thus, although the great discoveries of the magnet, gunpowder, and printing, have been long known in China and in India, they were little used, and of small advantage to society; whereas in Europe they were all quickly brought to great perfection, and applied to the most important purposes. The same holds in a great measure with respect to manufactures. These indeed are in such countries of the highest antiquity, and some of them carried on in a very extraordinary and extensive manner; but then they are chiefly such as require only an indolent employment of the mind or body, and no more than the idle occupation of those whom necessity has compelled to procure sustenance by labour, and to whom time is of inconsiderable value. Thus, if we compare their mode of performing their works with those of the manufacturers of Europe, particularly of England, the superiority of the latter, in point of contrivance, sparing of labour, and excellence of execution, will soon appear; nay, in several articles, thought to be peculiar to the East Indies, we have rivalled them, and that in some instances wherein their superiority was before thought to be the most remarkable.

C H A P.

C H A P. XVII.

INFLUENCE OF CLIMATE ON THE LAWS AND
CUSTOMS.

THIS subject would itself furnish materials for a volume ; it can therefore be treated only in a general view.

“ Municipal * law, or the law of any peculiar state or nation, is defined to be a rule of civil conduct, commanding what is right, and forbidding † what is wrong.”

This is the general or avowed intent of all laws, in every climate and situation. But the determination of what is right and wrong, and the rewards and penalties annexed to the observation and the transgression, with the modes of decision, vary much in different countries, situations, and climates.

I shall consider the influence of climate upon laws in the following order ; which, although in some respects exceptionable, is as good as any that I can suggest.

S E C T. I. *Object of the law, in hot climates.*

The general intent of all laws, I have before observed to be the same ; but the immediate object is regulated or modified by the disposition of the people or legislature.

The leading principle of hot climates being sensibility, the effects of that will necessarily be the most remarkable. Thus every transgression is there regarded as a personal injury ; and the object seems more to revenge that, than to repair or prevent in

* Introduct. to Comm. on the Laws of England, § 2.

† Imperans honesta, prohibens contraria.—Cicero.

future the mischief committed. Hence punishments among the Japanese || are considered, not as corrections of the delinquent, but as the revenge of an injury done to the prince.

Pride also, another offspring of sensibility, furnishes another motive for severity. Thus in Japan, crimes were punished with death, because disobedience to so great an emperor merited the most rigorous penalty. Here the vindication of the dignity of the emperor seems to be the object. This idea has caused several actions to be punished capitally, that have not even the appearance of a crime. Thus in Japan, a man that ventures his money at play, is put to death. Lies also, spoken before a magistrate, are punished with death; a proceeding contrary to natural defence. The same law, though I believe not under the same circumstances, was in force in * Egypt.

Jealousy, likewise, which is derived from the same source, forms a principal object for the operation of the laws. Hence the laws relative to adultery †, in hot climates, are excessively severe and harsh. The same jealousy, likewise, caused several laws to be enacted for the prevention or discovery of crimes. Thus the laws of the Visigoths prohibited a surgeon to bleed a free woman ‡, except her father, mother, brother, son, or uncle, was present.

The law, says Mr. Montesquieu, suspected every thing, when the people became suspicious. Timidity, likewise, which is incident to hot climates, forms another object for the operation of

|| Spirit of Laws, book vi. chap. 13.

* Diodor. Sicul. book i.

† In Italy and Spain, the injured husband is permitted to kill the adulterer. —Gudelin. de jure novissim. lib. v. cap. 18. —Adultery was death by the constitution of Constantine, C. 9. 9. 30.

‡ In Tournefort's Voyages, a remarkable instance of jealousy is related, where he was to prescribe for the ladies of the seraglio, but was only allowed to see and touch their hands, and from this information was to cure the bodies those hands belonged to.

the laws, which is, to preserve quiet and peace. This is particularly the case in China, wherein every disturbance or forcible resistance is most severely punished. This principle also produces that severe and rigid police which is observed in that country. It must, however, be remarked, that this rigour serves more, and indeed seems more intended, to humble the spirit of the people, and render them submissive to government, than to reform their manners; for, although so much care be taken to prevent any public disturbance or commotion, private fraud, provided it be unattended with violence, is subject to little or no censure from the law.

Even indolence itself constitutes the object of some laws. Thus Foe, the legislator of the Indies, formed his system of laws from his own feelings; and they are all relative to man in a state of passiveness or inaction. This doctrine, however, being derived from the nature of the climate, favoured it again in its turn, which has been the source of infinite mischief. More prudent, as Mr. Montesquieu observes, was the conduct of the Chinese legislators, who, considering men not in the peaceful state which they are to enjoy hereafter, but in the situation proper for discharging the several duties of life, made their religion, philosophy, and laws all practical. Hence the doctrine of Foe * is detested by the Chinese. It is an established rule, that the more natural causes incline men to inactivity, the more moral causes should estrange them from it.

This multiplication of the objects of the law, has produced a great multiplication of crimes. Thus the idea of vindicating the dignity of the emperor, has given birth to the most horrid persecutions in China. It is determined by the laws of that country, that whosoever shews any disrespect to the emperor, is to be punished with death. As they do not mention in what this disrespect

* Du Halde, vol. ii. p. 336.

consists,

consists, every thing may be construed into this crime, and furnish a pretext to take away any man's life, or to exterminate his family.

Thus two persons * were put to death for having inserted some circumstances in the Court Gazette that were not exactly true. Another person of high rank was destroyed, together with his family, for having inadvertently made some mark on a memorial signed by the red pencil of the emperor. Both these were construed into disrespect. In short, the point among the eastern † sovereigns is, not whether a man has done his duty, but whether the prince is offended with him; if he is, confiscation, imprisonment, and death, are all in his power.

In the later ages of the Roman empire, when its emperors had, by indolence, luxury, and cowardice, degenerated into eastern monarchs, their laws came to resemble those which we have mentioned. Thus it was enacted by an imperial law, in the reign of Gratian, Valentinian, and Theodosius, that whosoever called in question the prince's judgment, or doubted of the merit of any person which he had chosen, should be guilty of high ‡ treason. Perhaps this multiplication of crimes might be caused in some measure by the style of the law itself, which was dictated by a figurative || imagination, a thing never to be indulged in the composition of laws. Poetical licence, in the description of crimes, leads to sanguinary § consequences.

* Du Halde.

† Letters from the East Indies, p. 193.

‡ In the later ages of the Roman empire, almost every crime was construed into sacrilege or high treason.—Vide Mr. Montesquieu on the Grandeur and Decline of the Roman Empire.

|| The style of laws should be plain and simple, a direct expression being better understood than an indirect one. There is no majesty at all in the laws of the Lower Empire; princes are made to speak like rhetoricians.—Spirit of Laws, book xxix. ch. 16.

§ Principles of Penal Law.

The objects arising from the timidity of the people, also cause a great multiplication of crimes. Many actions, which in moderate governments are accounted indifferent, or at least slightly censured, are construed into crimes under a timid and jealous administration. Thus the carrying of arms, although no criminal use was made of them, is, in some countries, a capital crime. The presuming to mention, or to comment on any of the transactions of government, or even to speak of them with approbation, is, in some cases, rigorously, if not capitally, punished.

Jealousy, likewise, is a great multiplier of crimes: even to cross the way, in the eastern countries, when * a carriage, containing women, is passing, is, in many instances, a capital offence.

S E C T II. *Forms of law.*

Forms of law, in hot climates, are always simple, and few in number. The law † there is not considered as a science; no acts of state, no books of law are consulted. The tediousness of suits—a necessary evil, where the privileges of the subject are guarded by a multiplicity of laws—cannot here be made a matter of complaint. Nothing more is required ‡ than the proof of the matter alledged; and the decision immediately follows. The judge tries, condemns, and orders the punishment himself. This method of proceeding is natural to the situation and state of those people. Their laziness is such, that if the process were long and tedious, they would rather suffer an injury than be at the trouble of redressing it; and instead of a blessing, would think it an insufferable misfortune. The introduction of legal forms and law—

* Strabo, lib. xv.—Plutarch, Life of Artaxerxes.

† Letters from the East Indies, p. 188, 189.

‡ Shaw's Travels into the East, ch. iv. § 1.

fuirs is complained of as a great hardship by * Mithridates, in his memorial against the Romans: and the tribunal erected by Justinian among the Lazi, to try the murderers of their king, created † great discontent.

Another cause of the simplicity of legal proceedings in hot climates, arises from the nature of the government, which is despotical. Now this kind of government does not admit of many forms, which would serve to embarrass, if not contradict, the absolute power of the sovereign. For the same reason, the duration of law-fuirs is there very short: it signifies little how they are determined, so that they are but determined. The Bassa, in Turkey, after a quick hearing, orders which party he pleases to be bastonaded, and then sends them about their business. The government in China goes still further, as they not only punish one of the parties, but frequently both, where the cause of complaint was but of small importance.

Here, as Mr. Montesquieu observes, it would be dangerous to be of a litigious disposition:—this supposes a strong desire of obtaining justice, a settled aversion, an active mind, and a steadiness in pursuing one's point. All this should be avoided in a government where fear ought to be the only prevailing sentiment; and in which popular tumults are often attended with the most sudden and unforeseen revolutions.

S E C T. III. *Mode of trial.*

The same causes that render the forms of law simple and short, have also a similar effect on the mode of trial. This is in general,

* Justin. lib. xxxviii. § 7.

† Agathias, lib. 4.—Vide also some excellent observations on this subject in Mr. Verelst's treatise on the impossibility of introducing the English laws into Bengal.

by a single person, with whom the determination of the law, fact, adjustment of the forms, and punishment, is entrusted. Several causes concur to make them prefer this mode of decision. First, it is more speedy, and therefore better adapted to the indolence and laziness of the people. Next, it is more decisive, and agreeable to the sentiments and disposition of the reigning prince, who, in such governments, is generally lazy, voluptuous, and ignorant. If the judges were many in number, they might differ in opinion, and be obliged to have recourse to him to decide between them, a thing for which he would be ill suited; and also, as despotic empires are mostly large, would create an infinite confusion. The creation, therefore, of a single judge, as of a single vizir, is almost a fundamental law of this government.

There are, however, exceptions. In some countries, superstition has overpowered the genius of the climate and government. Thus the trial by water-ordeal prevailed in several parts of Asia Minor, and some other species of it on the coast of Malabar and Siam; and a mode of trial equally fortuitous and whimsical in the kingdoms of Pegu * and Monomotapa.

In Egypt, indeed, a mode of trial formerly prevailed, similar to what now obtains in free † states. But from the account
given

* Vide Comm. on the Laws of England, book. iv. ch. 27.

† "They elected," says Diodorus, "ten judges from each of the principal cities of the empire; the city of the Sun, Thebes, and Memphi; which assembly was not inferior to the Athenian Areopagus, or the Lacedæmonian Senate. These thirty judges, on their assembling together, chose one of their number president, in whose room another judge was chosen by the city of the Sun. It was not allowed to those judges to pass any judgment, to transact any business, or to punish any person from motives of caprice or resentment, or any other partial cause, or in any respect otherwise than the law allowed."—It is remarkable, that the mode of proceeding, and even the ornaments worn by the judges in Egypt, were very similar to those now in use in our

given by Diodorus Siculus, Egypt, though it went by the name of a Monarchy, had, at that time, a great mixture of Republican government.

The reason of this will be attempted to be explained hereafter.

S E C T. IV. *Punishments.*

The accounts before given of the object of the law, in hot countries, and of the disposition of the people, afford sufficient cause for these being extremely severe and cruel.

Thus, where the measure of guilt of an offence is rated according to the dignity of the person supposed to be offended, the punishment must needs be rigorous. Thus, by the law of Japan, almost every crime is capital: and the like was formerly the case in Peru *. Bakers also have been impaled in Turkey † for selling bread short of weight, a crime which we should esteem against the police only.

English courts of Law. The president, or chief justice, was ornamented with a gold chain. The pleadings were all matter of record, as with us. The plaintiff set forth a declaration, expressing the matter of complaint, the state of the case, and the quantum of the damage sustained. The defendant then put in a plea, after having received a copy of the plaintiff's declaration, in which he either traversed the fact, or demurred to the law, or pleaded in mitigation of damages. The plaintiff might then reply, and the defendant rejoin; upon which the chief justice, after consulting with and collecting the opinions of his brethren, who likewise conferred with one another, gave sentence. It is wonderful how nearly these proceedings resembled ours, and those of the civil law; answering in a great measure to the declaration, plea, replication, rejoinder, sur-rejoinder, rebutter, and sur-rebutter, of the former; and to the accusatio, replicatio, duplicatio, triplicatio, and quadruplicatio, of the latter.—For the above account of the Egyptians, see Diodor. Siculus, book i.

* The Inca in Peru was esteemed a deity; consequently, crimes were there a species of sacrilege.—Robertson's America.

† Vide on this subject, Mr. Montesquieu's Persian Letters, Letter cii.

But.

But the punishments of hot climates are not only severe in the proportion, but also in the manner of infliction. Not contented with death, which ought to be constantly executed without any additional aggravations, it has been usual to sew up criminals in the warm skins of beasts, and in this condition to expose them to the fury of wild dogs; in others, the limbs are torn in sunder by trees, chariots, or horses; in others, recourse is had to crucifixions, burnings, boilings, flayings, famishings, impalements, and other modes of destruction equally shocking to decency and to humanity. These cruelties, indeed, have, at times, to the disgrace of human nature, been perpetrated in almost every country; but in hot climates they are permanent, and nearly universal.

The reason before given, of crimes being understood in a personal light, is undoubtedly a great cause of the frequent infliction of the punishment of death, as well as of the inhumanity in the mode of execution. But other reasons also concur. I have before observed, that the people of hot climates are of a timid disposition. Now cowardice has been almost always found to have a kind of natural connection with cruelty: whether it be from the pride of shewing a superiority, or from the desire of preventing resistance, I cannot determine. In some instances, however, the timidity, or perhaps the indolence of the ruling powers, joined with a great degree of superstition, has taken a turn directly opposite. The emperor Mauritius made a resolution never to spill the blood of his subjects. Anastasius punished no crimes at all. Isacius Angelus took an oath, that no one should be put to death during his reign. These Greek emperors, says Mr. Montesquieu, seem to have forgotten, that it was not for nothing that they were entrusted with the sword.

The nature of the government itself, likewise, which is generally despotic, favours these cruelties. Terror is with them the

spring of government ; and whatever inspires this the most powerfully, is thought to be the best adapted to the nature of the constitution.

But this notion, if it be not erroneous in its original foundation, is capable of being carried greatly too far ; and, instead of remedying the evil, makes it infinitely worse. Thus Mr. Montesquieu has remarked, that the excessive punishments of Japan have corrupted that empire, though despotic, by rendering the people still more hardened, obstinate, capricious, and resolute. The punishment of death, being rendered so common, becomes with them no object of terror, and loses its effect in enforcing obedience. Probably for the same reason it was observed of another empire, in form at least despotic, China, that the increase of penal laws was a sure prelude to a revolution.

Another cause of the greater severity of punishment is derived from the state or condition of the people themselves under the different governments. In those which are despotic, Mr. Montesquieu observes, that people are so unhappy as to have a greater dread of death, than regret for the loss of life ; consequently, their punishments should be more severe. In the moderate, they are more afraid of losing their lives, than apprehensive of the pain of dying. Those punishments, therefore, which deprive them simply of life, are sufficient.

I hope it will not be understood, that from assigning a cause for these cruelties, I mean to vindicate or to apologize for them ; I am satisfied, that in almost every instance, they tend to counteract the intent proposed ; and were there no other reason for their being rejected with abhorrence, the voice of nature itself, which in every climate, situation, and condition, cries out loudly against such inhumanity, ought to be sufficient.

It is proper to remark here, that in hot climates, almost all disputes are of a criminal nature. If I complain of an injustice done.

done to me by another, the judge or *bassâ* will fine, or perhaps corporally punish, the wrong-doer; but redress or reparation for the damage is seldom considered.

CHAP. XVIII.

EFFECT OF A COLD CLIMATE UPON THE LAWS.

SECT. I. *Object.*

WHILE the sensibility of hot climates construed every offence into a personal injury or affront, the phlegmatic genius of the North resolved it into the consideration of loss and * gain. Thus the object, in the one case as well as the other, was of a personal kind. But whilst revenge was the point in the one case, reparation of damage was the object in the other. Hence the prosecutions at law, even of those actions which are at present accounted with us to be of a public nature, were then carried on as private suits; such as accusations, or, as they were then styled, appeals, of murder, rape, robbery, mayhem, arson, &c.

Jealousy too, the offspring of sensibility, which forms so powerful an object of the laws in the East, has so little influence here, that even in our country, whose laws were derived perhaps from a colder climate, adultery, which is capital by the civil law, is no public crime, at present ||, with us; and is only punished as a private injury or trespass.

* The Salic, Ripuarian, and other laws of the northern nations, reduced the issue of all causes to the reparation of damages; so that every prosecution was in some measure civil.—*Spirit of Laws*, book xxviii. ch. 36.

|| An instance of its being made the subject of an indictment, and accordingly punished as a public injury, may be found in the 2d vol. of the *State Trials*.

Timidity, likewise, which furnished so great an object of attention in hot climates, is here little in contemplation. Whilst force and violence * was so carefully restrained in Persia and India by the severest penalty, and private fraud scarcely regarded, the contrary maxim was here observed. Among these people, courage and intrepidity extenuated the guilt of an action. Thus, among the Alemans, a slave, who had committed a clandestine † theft, was condemned to a severe punishment; but if guilty of a forcible robbery, he was only bound to make restitution.

This martial and courageous spirit, whilst it diminished the number of crimes in some instances, increased them in others. Thus indolence and cowardice, instead of being favoured by the laws, or influencing their spirit, were, in some places, treated as capital ‡ crimes, and punished with an ignominious death.

The general tendency, however, of the laws of cold climates, is far from being favourable to the multiplication of crimes, or to reducing them to be of a capital nature. On the contrary, the capital crimes are few in number, and the inferior ones distinguished by a studied exactness in the proportion || of them to one another. The style of the laws also was plain and unadorned; nor was it the custom of the judges to extend their meaning, or increase their severity.

But the form of government, which in cold climates has almost always some mixture of practical freedom at the least, is, perhaps, the greatest cause of the mildness of the law. Terror here, not

* In the ancient Roman law, the private thief was condemned to restitution of double, and the open thief to quadruple. The same idea prevailed in the civil law—"Qui vi rapuit, fur improbius videtur."

† Law of the Alemans, ch. v. § 3, 5.

‡ Ignavos & imbelles & corpore infames ceno aut palude, injecta super crate, mergunt.—Taciti Germania.

|| Vide the Anglo-Saxon laws—Hume's History of England—and Wilkin's Leges Saxonicae.

being the spring of government, there is no necessity to excite it by severities, which the regulation of society, and the good of the state, does not immediately demand.

S E C T. II. *Forms of Law.*

Legal proceedings, and forms of law, in cold climates, are, in general, plain and simple, though not in the same degree as in hot ones.

Thus the forms of law in the ancient Gothic constitution, and even in the ancient * law of England, which is held to be derived from it, were plain, and few in number; and the like appears to have been the case among the ancient Germans.

The active, warlike, and unrefining character of this people, was averse to quirk and subtlety; and from their mode of life, form of government, and degree of civilization, they had less necessity for complication of legal processes.

The pride, however, and haughtiness of this people is apparent in some of these, yet remaining. Thus, among the ancient † Germans, those persons, who were summoned to attend in their courts, thought it beneath their dignity to come on the day fixed, lest it should seem the effect of compulsion; but often delayed it to the second, and even to the third. A similar indulgence prevailed in the Gothic ‡ constitution, and is at present allowed in the || law of England; in which the person summoned has three days of grace beyond the return of the writ, in which he

* Vide Glanville de Legibus & Consuetudinibus Angliæ.

† Illud ex libertate vitium quod nec simul nec jussi conveniunt sed alter & tertius dies cunctatione coeuntium absumitur.—Taciti Germania, cap. xi.

‡ Illud enim nimix libertatis indicium concessa toties impunitas non parendi nec enim trinis judicii confessibus poenam perditæ causæ contumax meruit.—Stiernhook de Jure Gothorum, lib. i. cap. 6.

|| Blackstone's Comm. book. iii. chap. 18.

may make his appearance; and if he appears on the fourth day, inclusive, it is sufficient. A regulation of a like kind prevailed in the trial by * battle; in which, if the defendant appeared on the third summons, it was enough.

Thus also the challenge at the coronation of the king of Great Britain is proclaimed thrice by the heralds. And Edgar, in Shakespear's King Lear, appears to fight with Edmund at the third found of the trumpet. Milton has imitated this practice in his Sampson Agonistes, and made Sampson defy Harapha "thrice to single fight."

S E C T. III. *Mode of trial.*

The modes of trial here have been various. One of the most ancient methods appears to have been before a considerable number of judges, who were all the peers or equals of the accused. Thus Tacitus † tells us of the ancient Germans, that criminal accusations were tried before the great council of the nation, in which every free individual, as it seems, had a seat. But when this method, by the increase of states in size and number of people, became burdensome, it was changed for another; in which, however, the same principles were retained, viz. the trial by

* *Citius autem si non venerit secundo exigetur eodem modo & subjunget in fine (præco) "venite dies transsit ocyor." Si vero nec tunc venerit exigetur etiam tertio.*—Spelman's Gloss. Vox Campus.—The signal for the engagement was given thrice:

"Thrice sounds the trump, and at the warning blast

"His lance in rest the trembling traitor plac'd."

Orlando Furioso, translated by Hoole, book v. l. 603, 604.

Spelman also tells us, that the signal for battle, given by the Constable, was declared three times. Vox Campus.

† *Licet apud concilium accusare quemque & discrimen capitis intendere.*—Taciti Germania.

jury,

jury. The period of the institution of this piece of juridical polity is not * ascertained: it appears, however, to be extremely ancient, and universally established among the northern nations; and so interwoven into their very constitution, that the earliest † accounts of the one give us some traces of the other.

This method of trial was extremely consonant to the disposition and genius of that people. The number of the persons appointed to decide, flattered their haughty and martial spirit: the same circumstance prevented corruption and personal caprice. Their equality in rank to the accused, prevented oppression on the one hand, and indignity on the other; and even gave a degree of security against error itself, as it could scarcely be imagined that so many concurring opinions could prove erroneous: add, likewise, that this method favoured of a republican form, and was consequently most agreeable to the ideas of a free people. But this mode of trial, though with great propriety styled the pride and security of the rights of freedom in the northern hemisphere, would probably have been ill suited to the disposition of a people of a hot climate. The indolence which prevails in such situations, would make the people look upon their being compelled to be judges on such occasions, as a great fatigue and hardship.

Next, the jealousy which the people have of one another, would make them look upon this mode of trial with dislike, rather than with satisfaction. Their revengeful and malicious disposition would convert it into an opportunity for the gratification of hatred and ill-will; and their corrupt and profligate turn would subject them to the temptation of bribery. The ignorance too, which reigns among them, would make them very unfit for the decision of matters that require some degree of knowledge. Lastly, the

* Stiernhook attributes the invention of the jury to Regner, king of Sweden, who was contemporary with our Egbert.

† Blackstone's Comm. book iii. ch. 23.

republican form of this mode of decision, would render it totally unacceptable in despotic governments.

Another mode of trial, of great antiquity, is that by battle. This was not, however, peculiar to the northern nations, like the trial by jury, as it was used in other countries *, Spain particularly. It was, however, in use in Germany †; and was one of the modes of trial in the ancient ‡ Gothic constitution.

A great || writer of our own country is of opinion, that it owed its original to the military spirit of our ancestors, joined to a superstitious frame of mind, it being in the nature of an appeal to Providence, under an apprehension and hope, however presumptuous and unwarrantable, that Heaven would give the victory where there was the right. This method of decision was undoubtedly natural to a warlike and brave people, especially one that, from ancient custom, went constantly armed both in peace and war; yet it is probable, that superstition had originally some share in it, as Tacitus, who by the way does not mention this mode of trial, informs us, that the Germans were a people much addicted to divination §; and that when one ** nation was about to declare war against another, they looked out for a prisoner, who was to fight with one of their own people, and by the event they judged of the future success of the war. A nation which believed that disputes of a public kind might be decided

* Quidam quas disceptando controversias finire nequierant, aut noluerant, pacto inter se, ut victorem res sequeretur, ferro decreverunt. — Quum verbis disceptare Scipio vellet, ac sedare iras; negatum id ambo dicere communibus cognatis: nec alium deorum hominumve, quam Martem se judicem, habituros esse.—Livii, lib. xxviii. § 21. — Polybius also mentions this mode of trial being in use in Spain in his time.

† Patercul. lib. ii.

‡ Stiernhook De Jure Sueconum, lib. i. cap. 7.

|| Blackstone's Comm. book iii. ch. 22.

§ Germania, cap. ix.

** Germania, cap. x.

by a single combat, might well think it proper also for determining the disputes of individuals. * Nor was this mode of trial, as Mr. Montesquieu observes, though in the main absurd, so entirely void of foundation, in reason and experience, as might be imagined.

Cowardice, among a military people, is universally odious, not only as a vice itself, but as an indication of the character. It shews that a man has resisted the principles of his education; that he is not directed by the same motives that govern other men; that he neither regards their contempt, nor values their esteem. In short, it amounts to a contempt of the authority of the laws and manners of the people, and may, in that light, be considered as a crime against the state in general; which might, perhaps, be the cause of the severe punishment inflicted upon it among the ancient Germans.

Another mode of trial in use among the northern nations, and probably derived from the climate, was that by denial, on oath of the party, of the fact alledged against him. This still subsists in possibility, though not in practice, in our law, in civil matters. It is a notable instance of the simplicity † and candour of the people who used it, and of the confidence they had in one another. Mr. Montesquieu is of opinion, that the revival of the trial by battle, by Gundebald, king of the ‡ Burgundians, was to

* What the ancient mode of trial in Russia was, I cannot say. It seems to have been by judges, and managed in a manner somewhat similar to the proceedings of the inquisition. The trial by battle was established by law in the time of the emperor Iwan, about the year 1580; but whether it was in use before, I cannot determine.—Vide Williams's Northern Governments.

† It was in use among the ancient Egyptians, a people remarkable for probity and simplicity of character.—Diodorus Sicul. lib. i.

‡ He says, it is to prevent our subjects from attesting on oath what they are not certain of, nay, what they know to be false.—Law of the Burgundians.

remedy the abuse of this method of trial, which established negative proofs. When an action was brought, and it appeared that the defendant was about to elude it by an oath, what other remedy was left for a military man, who saw himself on the point of being confounded, but to demand satisfaction for the injury done to him; and even for the attempt of perjury? As a proof of this, the Salic * law, which did not allow negative proofs, never admitted the trial by battle. Indeed, the confidence placed in the defendant, by this mode of trial, is almost too great for human nature in any situation, and was only practicable among a people of a high sense of honour and probity. But when the objects attainable by the perjury became considerable, it was necessary to be abolished or evaded, as it caused a total perversion of justice, and corruption of manners.

The above are all the modes of trial I can recollect peculiar to cold climates, all which are now subsisting in our laws, and were formerly universal throughout the whole of the North †.

S E C T. IV. *Punishment.*

The mode of punishment also peculiar to cold climates is next to be noticed. This, as I have before observed, was in general considered by the law as a compensation for a private injury, and consequently of the pecuniary kind, or at least in the way of recompence. Thus, among the ancient Germans ‖, public misdemeanors
were

* Spirit of Laws.

† Several superstitious modes of trial, as those by ordeal, and others, do not appear to be particularly influenced by climate, as they have appeared in every temperature.—See more of this in book vi. on the Effect of the Way of Life.

‖ It appears probable to me, from what Tacitus says, that injuries were used to be redressed, among the ancient Germans, in two distinct ways; one
by

were punished with fines of corn and cattle; and private injuries might be bought off in the same way; even murder might be satisfied in this manner, by a composition paid to the friends or kindred of the deceased.—The same spirit runs through the whole

by application to the law, as a criminal offence; and the other by composition between the parties, as a private injury. In the one case, the compensation is called a fine, (*mulcta*) a part of which was given to the person injured, and the other part to the king, or to the service of the state. In the other case, the compensation is denominated a satisfaction, (*satisfactio*) and went entirely to the party injured, or to his representatives. The first seems to have been imposed by the great council, and against the will of the person accused. The latter was paid in consequence of his voluntary agreement.

I know, indeed, that Sir Henry Spelman and Dr. Gilbert Stuart, two authorities from whom it is almost presumption to differ, are of another opinion, and think that part of the fine or wergild was paid to the lord or king in every instance. But I am clear that Tacitus is here speaking of two different modes of process. They are mentioned in distinct parts of the work, and at a distance from one another, and ought not to be confounded together. In the first, Tacitus tells us expressly how the *fine* or *mulcta* was divided, part being given to the party injured, and part to the king or state. (Cap. xii.) In the other instance, the compensation is called by a different name, (*satisfactio*) which is a term more adapted to a private recompence, and is said to be received by the friends of the injured person, without any mention of the public at all. (Cap. xxi.) If any part of it had been given to the public, Tacitus would have mentioned it; and his silence is an argument to the contrary. Besides, Tacitus is here expressly speaking, not of public crimes, but of private feuds and quarrels, and the method of reconciling them, and not at all of judicial interposition.

The *satisfactio* mentioned by Tacitus was, in after ages, called *compositio*, which is expressly said by Mr. Du Cange to be paid to the person injured, or to his heirs, without any mention of the public at all.—*Vox Componere*.—"Delictum transactione & compositione interveniente expiare, ac luere, & cum læso, aut ejus hæredibus, de mulctâ ac pœnâ propter illud irrogandâ, pacisci."—The laws of Scandinavia direct how the composition shall be divided, but make no mention of the state or prince as sharing in it.—*Ibidem* Du Cange.—If, however, the crime was of a public nature, and punished by application

whole of the laws of German origin, in which a scrupulous exactness is observable in proportioning the satisfaction to the degree of the offence. Thus the law of the Frisians gave a certain compensation for a blow with a stick, and a larger one for a wound. The same is found in the Salic law; and the law of the Lombards established different compositions for one, two, three blows, and so on. The ancient Saxon laws were in the same style.

The

plication to courts of justice, a part of the fine imposed was given to the king or state: this part was called *fredum*, and was one third of the whole. —Du Cange, *Vox Fredum*. —It seems, however, probable, that it was not usual to prosecute private injuries in a public manner, until private satisfaction had been denied. If any criminal action was tried before a court of justice, (says Du Cange) and the parties could not agree amongst themselves about a composition, the judge compelled the person accused to compound with the accuser. —*Vox Componere*.

The laws of William the Conqueror, which were in effect the Saxon laws, and derived from a German original, do not direct the *manbote wera* or *wergild*, or *multa* of Tacitus, to be levied, unless *he refuses to make amends*. It appears too from these laws, that a private compensation was allowed in cases of homicide, as well as inferior injuries. “If one man kills another, and is known to have done it, and *refuses to make amends*, there shall be given out of his *manbote* to the lord, ten shillings,” &c. —“If one wounds another, and *refuses to make him amends*, in the first place let him pay his *were*,” &c. &c. —Laws of William the Conqueror, § 2. —Even the form of the original writ now in use in actions of debt in the Common Pleas, which is very ancient, seems to intimate, that the subsequent proceedings were in consequence of the defendant’s refusing to make satisfaction in the beginning of the suit, as it orders him either to do justice by paying the money demanded, or else to appear before the court to shew why he has not done it.

The words of Tacitus, in each of the instances above referred to, are as follows: “Sed et levioribus delictis pro modo pœnarum, equorum pecorumque numero convicti *multantur*. Pars *multæ* regi vel civitati, pars ipsi qui vindicatur, vel propinquis ejus exsolvitur.” —Taciti Germania, cap. xii.

“Suscipere tam inimicitias seu patris, seu propinqui, quam amicitias necesse est. Nec implacabiles durant, luitur enim etiam homicidium certo armentorum ac pecorum numero; recipitque *satisfactionem* universa domus, utiliter in publicum,

The laws of * Æthelbirt gave different compensations for the loss of the hearing of an ear, for the bruise of an ear, for the boring of an ear, and for the cutting off an ear; and in a similar manner for injuries to the nose and mouth, and other injuries done to the body. Nearly the same regulations are to be found in the laws of † Alfred. The same mechanical method of estimating, and of punishing offences, is extended to crimes that relate to ‡ religion. The Danish || laws are nearly of the same kind. We must not, however, conclude from hence, that these people were in the least insensible to what regarded their § honour. The truth is, that blows at that time, perhaps from the custom of the people's going constantly armed, were very common, and esteemed no ** disgrace. They were therefore regarded only as matters of private injury, or damage. In the same mechanical way did they estimate the injuries done to women. If a man by force uncovers a woman's head, he pays a fine of fifty sous; if he uncovers her leg up to the knee, he pays double; and double from

licum, quia periculosiores sunt inimicitiae juxta libertatem."—Cap. xxi.—Vide also Spelman's Glossar. p. 569, 570.—Stuart's View of Society in Europe, p. 254.

A practice similar to that mentioned in the former of these instances by Tacitus, prevails at present in England, where the relator, or person who sues in an information, is entitled to one third of the fine imposed by the court of King's Bench, on his petitioning for it.

* Wilkin's Leges Saxonicae. Leges Æthelbirti.

† Leg. Ælfredi, cap. 40. de victueribus.

‡ Northumbrensium Presbyterorum leges.

|| Leges Cnuti.

§ Tacitus tells us, that to leave the buckler behind in battle was a high disgrace; and that many, to whom it had happened, had destroyed themselves. Germania, cap. vi.

** The same author tells us, that the Germans were much given to convivial meetings; and that at these they were very subject to intemperance in strong liquors; and that these meetings often terminated in wounds and death. Blows, therefore, must often pass, but it does not appear that they were accounted any specific affront.—Taciti Germania, cap. xxii.

the knee upwards. They seem, says Mr. Montesquieu, to have measured these affronts to women, as we measure a figure in geometry. Nay, even some crimes apparently of the greatest public concern, were capable of being expiated by money; and the sole security for the life, even of the * king himself, consisted in the largeness of the sum to be paid as a fine or wergild for his murder.

This style of punishment, though in part derived from the climate, was also owing to several other causes, some of which shall be mentioned † hereafter. One of these was the warlike disposition of the people, who thought their blood ought not to be spilt, except sword in hand; accordingly ‡ their punishments were contrived so as to affect the life of none but such as were objects of either || detestation or contempt, and with whom consequently it would be either infamous to associate, or unsafe to trust with military operations or the defence of their country. The same temper yet subsists in the laws relative to punishments in the northern countries. Thus the capital crimes in Sweden and Denmark are said to be very few in number; and in the vast empire of Russia, that punishment is totally abolished. For the same reason, the use of torture is laid aside, or at least scarcely ever used in those countries. A brave and gallant people are unwilling not only to suffer acts of inhumanity, but also to degrade their nature by public instances of insult to their own species.

The policy also of the government itself contributes, I imagine, to render torture less frequent: were they to introduce it into their laws, it would probably be used in the execution of state-criminals, who, though often necessary, even from motives of self-defence, to be taken off, are generally looked upon with some de-

* Spelmanni Glossar. Vox Wera & Wergildus.

† Vide book iv. and book vi.

‡ This had some exceptions.—Vide Spelman's Glossar. Vox Wergildus.

|| Taciti Germania, cap. xii.

gree of compassion ; and, indeed, frequently are little culpable in a moral light.

In the Eastern countries, such executions tend to break and humble the spirit of the people, who are naturally dastardly ; but were such spectacles to be exhibited in the North, they would very probably rather rouse than depress their indignation, especially on the occasions above-mentioned, when there is generally a national party on the side of the sufferer.

But although the punishments in cold countries cannot be said to be over severe or cruel, there is in some of them a degree of impropriety, or unfeeling * indecorum, that is very remarkable, and arises probably from the insensibility inspired by the climate. At the beginning of the present century, it was no disgrace in † Russia, for a nobleman to be stript and scourged by the common executioner, for the same crime for which a peasant would have suffered the same punishment. At present, this absurd and degrading practice is abolished by the wisdom of the reigning empress, whose sage regulations will render her name illustrious among the greatest legislators of the North.

* Vide the account of the punishment of Madame Lapouchin, in the reign of the empress Elizabeth.

† In Persia, when a nobleman had committed a crime for which a peasant would have been scourged, he was only stript by the executioner, and the stripes given to his garments. In France, formerly, in cases relating to pecuniary mulcts, the common people were less severely punished than the nobility ; but in corporal punishments it was the reverse, the nobleman was degraded from his rank ; the peasant, who had no rank to lose, underwent a corporal punishment.—Vide Principles of Penal law, and Spirit of Laws.

CHAP. XIX.

EFFECTS OF A MODERATE CLIMATE UPON THE LAWS.

SECT. I. *Object.*

WHILST the *revenge of an injury*, or the *vindication of the dignity of the prince*, in hot climates, and the *reparation of a loss* in cold ones, appear to be the main objects of the penal or criminal law, the *prevention of crimes* is the object in moderate ones.

This was the idea of all the greatest legislators, both ancient and modern. Criminals are punished, says * Plato, not because they have offended; for what is done can never be undone; but that for the future the criminals themselves, and such as see their punishment, may take warning, and learn to shun the allurements of vice. "If," says † Tullus Hostilius to Mettius Tuffetius, "it were possible to teach you to preserve your faith and alliances unbroken, I would have employed such instruction to you whilst yet alive; but as your disposition is incorrigible, you shall, by your own punishment, give a lesson to mankind to hold those things sacred which you have violated ‡." Such a superiority at first setting out, in choosing a proper object of the law, may well exalt the jurisprudence of moderate climates far above either of the two extremes; and shews, that philosophy and science, which in such

* De Legibus, p. 977.

† Livii, Hist. lib. i. cap. 28.

‡ Vide also Cicero pro Cluentio.—Marquis Beccaria on Crimes and Punishments, chap. iii.—Principles of Penal law, ch. ii.—Blackstone's Comm. book iv. ch. 1. § 2.

situations are most cultivated, and to which this justness of sentiment and idea is probably to be ascribed, were not encouraged in vain, or without producing the most important advantages to society.

The benefits that arise from hence are numerous. Some of them I shall mention.—The idea of preventing crimes, produces a proper estimation of their degree, which is here rated as it ought to be, according to the measure of the injury done to society, as such are * first and especially necessary to be prevented. It produces a due proportion between crimes and punishments, regulated by the aforesaid standard, and thereby prevents the frequent commission of the most atrocious delinquencies. But of this more hereafter. It renders the laws less capricious, as being governed and directed by a general maxim, than when rendered instruments of revenge, or of gratification of passion.

It also causes them to be composed with greater temper and consideration. A legislator, with whom punishment is the object, frames his law under a supposition of its being already infringed; and, warm with indignation at the transgression, devises the penalty under the influence of that passion; so that under this state of mind he becomes a party, when acting in the † capacity of a lawgiver.

But a person who considers only the prevention of crimes, has no such idea; the penalty with him is a melancholy, though necessary consideration: and of consequence not likely to be imposed, but on the most sober and dispassionate reflection, and from no motive but that of dire necessity.

* Beccaria on Crimes and Punishments, ch. xlii.

† Decrees even of a very cruel and extensive nature are often extorted from the eastern princes on slight grounds and frivolous suggestions. Thus the decree of Ahasuerus, for the extermination of the Jews, was obtained on the simple request and representation of a minister of state, and without any enquiry into the truth of the facts alledged.

The inhuman and vindictive punishments contrived for crimes, by lawgivers under the above-mentioned prejudices, and the rules of * evidence and practice which they have established, give us but too much cause to think that this opinion is not void of foundation.

Lastly, the idea of preferring the prevention to the punishment of crimes, inspires notions more enlarged and liberal; it tends to render the style of the laws clear and simple; it makes the judge rather the friend than the enemy of the accused; it causes the laws to be made for the general good, and not to favour any peculiar class or rank of men; it causes them and them only † to be respected.

S E C T. II. *Forms of law.*

The same circumstances that have inspired a right idea of the object of the law, have also improved the forms and mode of proceeding.

Prevention of crimes being the object of the law, has given rise to that benevolent presumption, which supposes the accused to be innocent, until he be proved guilty.

This was the idea of the Roman law, where every charge ‡ was required to be proved by witnesses adduced on the part of the accuser. The accused || was also at liberty to examine the

* This is observable even in the civil law. It is a maxim there, that the more atrocious the crime, the less proof is necessary; and that it is even allowable for the judge to stretch or exceed the law in prejudice to the accused. "In atrocissimis leviores conjecturæ sufficiunt, & licet judici jura transgredi." Our law, much to its honour, adopts a quite contrary idea.

† Vide Beccaria on Crimes and Punishments, chap. xli.

‡ Accusatio crimen desiderat, rem ut definiat, hominem ut notet, argumento probet, teste confirmet.—Cicero pro Cælio.

|| Rosini Antiquit. lib. ix. cap. 21.

accuser's,

accuser's witnesses, and to produce * witnesses of his own, or exculpatory proofs, in contradiction to those alledged against him. He might also either deny the fact † altogether, plead that it did not amount to the crime charged in the accusation, or vindicate it as no crime at all. The civil law of Justinian, which was made or composed in a more corrupt and servile period, gave countenance to an opposite presumption, and even denied a man the power of calling witnesses in his own defence. A similar mode of process to that of the civil law, is adopted in France ‡, which is justly reprobated by Mr. || Voltaire, who observes very properly, that in many instances it seems to point at the destruction of the accused. Our law however, much to its honour, has adopted sentiments more just and liberal. With that, the idea of the possibility of the accused's innocence is not excluded until the last stage of judicial process, the passing of sentence: before that, in the contemplation of the law, he may be justifiable, or at least exempt from punishment, or the necessity of pardon. The same benevolent disposition has introduced the practice of public trials §, of confronting witnesses with one another, and with the accused;

* “Tenere debimus interrogationes testium & accusatoris & defensoris fuisse & ejus qui producit & ejus contra quem producuntur.”—Rosini Antiquit. lib. ix. cap. 21.—Quoted from Asconius.

† Tres erant defensionis arces aut *factum negare* aut *nomen facti*, aut *jure factum probare*—Erant quædam causæ quæ commodissime inficiatione defendebantur, ut repetundarum & ambitus; aliæ quæ definitione, ut majestatis; quædam jure, ut cædis. Primarum exemplum erit defensio Fonteii, Flacci, Murenæ, & Plancii; secundarum, Cornelii; tertiarum, Miloniana.—Rosini Antiquit. lib. ix. cap. 22.

‡ Spirit of Laws, book xxix. ch. 11.

|| Commentary on Beccaria on Crimes and Punishments, ch. xxii.—By the ancient French law, witnesses were heard on both sides.—Spirit of Laws, book xxix. ch. 11, Note.

§ “Let us compare,” says Voltaire, “the criminal procedure of the Romans with ours. With them the evidences were heard *publicly*, in presence of the accused, who might answer or interrogate them, or employ counsel. This procedure

accused; of introducing negative proofs; and of recovering damages for false accusations. All those laws, which encourage prosecutions, by * sheltering or indemnifying false witnesses, have a manifest tendency to multiply crimes, perjury particularly. The same idea of the prevention of crimes, has introduced the practice in the English law, that no person is even *suffered* to perjure himself, by bearing evidence in any case wherein he is † interested. This is extended to criminal trials, wherein ‡ no man is invited, or even permitted, to exculpate himself by a || denial upon oath.

The law of England is almost equally cautious in suffering a person to accuse or criminate himself, and therefore takes but little notice of extrajudicial confessions, which are never encouraged in our courts of criminal jurisdiction.

cedure was open and noble; it breathed Roman magnanimity." — Comm. on Beccaria on Crimes and Punishments, ch. xxii.

* Beccaria on Crimes and Punishments, ch. xv.

† A similar delicacy was observed in the Roman law.—"Testium fides diligenter examinanda est, ideoque in personâ eorum exploranda erunt, imprimis conditio cujusque, utrum quis decurio an plebeius sit, & an honestæ & inculpatæ vitæ, an vero notatus & reprehensibilis, an locuples vel egens sit, ut lucri causâ quid faciliè admittat, vel an inimicus ei sit, adversus quem testimonium fert, vel amicus ei sit, pro quo testimonium dat. Nam si careat suspicionem testimonium, vel propter personam a qua fertur, quod honesta sit, vel propter causam quod nequè lucri neque gratiæ neque inimicitiae causa sit, dimittendus est."—Rosini Antiquit. l. xix. ch. 21.

‡ In France they administer an oath to the accused, that he may inform concerning his own guilt or innocence. The ex officio oath in the Spiritual Courts in England, was of the same nature, and was very properly abolished by act of parliament, 13 Car. II. st. i. c. 12.

|| Principles of Penal Law, chap. xv. — Sometimes, in informations in the court of King's Bench, a person is permitted to swear that he did not commit a certain fact; but this is only as to the propriety of granting or denying the information, and is not permitted on the trial. The same practice is used with respect to interrogatories concerning contempts of the court; which power is in a great measure necessary for the vindication of judicial authority.

S E C T. III. *Mode of trial.*

The consideration of the proper object, together with the superior improvement of science, have caused the mode of trial, in moderate climates, to be excellently adapted to the discovery of truth.

The reader will probably perceive, that I here allude to the trial by jury, the invention of which I have before ascribed to a northern original.

There is, indeed, reason to think, that it was first discovered in the northern climates, and appears to be naturally suggested by their government and mode of life. Its use, however, was not unknown among polished nations, and in moderate climates, as an ingenious * and learned author of our own country has fully shewn; and it may be truly said, that if we should allow the honour of the invention to a cold climate, it must be acknowledged that it is in a moderate one that it has been brought to perfection.

The excellence of this form of trial will better appear from an accurate examination of it, than from general encomiums. Indeed the praise bestowed on it by † foreign writers, of the greatest abilities and knowledge in the science of legislation, supersede the necessity of any farther panegyric.

But how would the admiration of these great men have been heightened, had they had an opportunity of surveying this mode of

* Pettingal on Juries.—This mode of trial was, according to this elegant writer, known and practised among the Greeks and Romans.

† Spirit of Laws, book xi. ch. 6.—Beccaria on Crimes and Punishments, ch. xiv.

trial as practised in * England ! in which country, if there be any defects in the mode of managing it, they are probably little more than arise from the unavoidable imperfection of human regulations.

Happy would it be for mankind, both in point of civil and political liberty, the two greatest national blessings upon earth, if this species of trial were practised by all those nations who are sensible of its advantages. But although national objects are best understood, and even practised, in moderate climates, the very uncertainty of political character, attending such a situation, communicates a degree of instability to this bulwark of freedom. This is evident in many instances, particularly in that now before us. Happy will it be for us if we take warning from, instead of † imitating, our neighbours, and preserve this invaluable treasure as the surest guardian of our ‡ liberty and prosperity !

The other modes of trial, that particularly by judges, though inferior in point of security to the innocent, and, I believe, of detection to the guilty, to that by jury, are still managed, in moderate climates, in such a manner as to give less cause of offence than might be imagined. The judges are in general several in number ; they are required to be || disinterested in the cause, and not to condemn without the testimony of two or more witnesses. But the want of an open and public trial, perhaps the most important circumstance of any, and on which our law lays particular stress ;

* For an account of this mode of trial, and of the advantages accruing from it, and its defects in its present state, vide Comm. on the Law of England, book iii. ch. 23.—and Sir Matthew Hale's History of the Common Law.

† The trial by jury is now laid aside in Sweden and Denmark.

‡ Where the subject has no guard for his innocence, he has none for his liberty.

The knowledge already acquired in some countries, or that may be hereafter attained in others, concerning the surest rules to be observed in criminal judgments, is more interesting to mankind than any other thing in the world.—Sp. of Laws, book xii. ch. 2.

|| In the civil law, which is generally followed on the continent, the accused has the liberty to challenge or except to the judge. Wood's Civil Law, book iv. ch. 1.

the omission of confronting the evidence with the accused, and with one another; their not giving their testimony viva voce, nor permitting a cross-examination, render this mode of trial very objectionable.

S E C T. IV. *Punishment.*

The effect of a moderate climate upon punishments is next to be noticed.

In hot climates, as I have before observed, the punishments are in general corporal, and in cold ones they were formerly almost altogether pecuniary, or in the nature of fines or amerciaments. Moderate climates have taken a middle path, admitting, in many instances, the necessity of corporal, or even of capital punishment, and chastising inferior offences in the way of depriving those who commit them, of the whole, or part, of their property.

The adjustment of punishments to crimes has been always, and with propriety, esteemed one of the most difficult branches of legislation, and seems only to have been brought to perfection in temperate climates, as it was there only that the proper grounds of it were well understood. Our own country is perhaps the most complete model, for the due distribution of punishments, of any in the world, yet even there many circumstances still remain, that disgrace our system of jurisprudence.

In England, however, in general, all idea of vindictive justice is discarded, and punishment is considered only as a necessary, though unhappy method of preventing crimes.—Capital punishments are admitted upon the above plea of necessity, and also as being authorised by the divine law; but such executions are not aggravated by any circumstances of pain or insult, beyond the sufferings inseparable from a * violent death. This medium, though scarcely ob-

* None of the seemingly cruel parts of the sentence in high-treason, such as tearing out the heart, &c. are ever practised now until the criminal be dead. Women, in like circumstances, are always strangled previously to their being burnt.

served in any country except our own, has been recommended by several moralists of the first class in other countries, such as by Mr. Montesquieu and Mr. Voltaire in France, and Marquis Beccaria in Italy; which last has, perhaps, carried his refinement on lenity to such a degree, as to be scarcely compatible with the peace and safety of society. On the same grounds of preventing crimes, our laws have of late years been very cautious of fixing any lasting visible mark or stigma on any individual, as “* it has been found by experience, that the said punishment has not had the desired effect, by deterring such offenders from the future commission of such crimes; but on the contrary, such offenders being rendered thereby unfit to be trusted in any honest and lawful way, become the more desperate.”

For the same reason, however infamous the punishment (as of the pillory) for some crimes of civil institution, yet the law at present with us infers no infamy or loss of credit, at least in point of testimony, on that account. Thus the punishment of the pillory for a libel on government does not affect the competency of the offender's testimony, as the same punishment inflicted for an offence of the nature of the crimen falsi, as perjury or forgery, would have done. This maxim † was also adopted in the civil law. This adaptation of the punishment to the crime is one of the greatest excellencies of the law of England, and indeed this prevails in a good measure through the other countries of Europe.

Crimes may be considered as aggravated, either by their enormity or frequent repetition ‡, both of which require an increase of severity in the animadversion of the law. The distinctions in our law relative hereto are in most cases highly just and prudent. I

* Preamble to an act of parliament, 5th Anne, cap. 6. repealing the punishment of branding on the cheek.

† Digest. 48. T. xix. § 26.

‡ In the ordinance of Louis XIV. the punishment of blasphemy is increased to the seventh repetition.

shall instance one wherein the cases just mentioned are exemplified; I mean the wilful killing of another, but without the aggravating circumstances attendant upon wilful murder. This, our law considers, may happen from passion, flight provocation, want of recollection, &c. which may palliate, but not excuse the crime. For the first offence, therefore, the law does not demand the forfeiture of life, but expects, at the same time, that such an escape should be a perpetual warning against the second commission of such an offence, which last is justly deemed capital; otherwise the law would be no more than a licence to murder with impunity.

With the same benevolent intention (the prevention of crimes) fines are in great use in our penal laws: these are not, however, to be confounded with those confiscations so usual in hot climates, but rather in every respect opposite; the former are never inflicted but upon conviction, the latter often take place on mere suspicion only; the former are established by law, to be only such in quantity or degree, as a man may pay without ruining his family, or beggaring himself; the latter always involve all the † property that can be discovered: consequently the former act as a ‖ warning, and tend to reform the offender; the other often affect the innocent, and by making the object desperate in circumstances, dispose him to be so in his conduct. In short, one tends to reclaim the wicked, the other often perverts the good. It appears, at first sight, somewhat extraor-

† Xenophon, in his *Cyropædia*, says of the Asiatics, that the goods and possessions, not only of the guilty, but also of the innocent, were often seized, and their persons also, in order to extort sums of money, and that for this reason, those who went to the wars usually carried with them what they were worth.—*Cyropædia*, Book vii.

‖ Our law, by keeping the quantum of the fine in the breast of the judges, with this limitation only, that it shall not extend to the total ruin of any one, is greatly superior to the old Gothic method, wherein the price of each crime was ascertained. The latter afforded a sort of impunity to the rich, similar to the story told by Aulus Gellius, of a man who used to strike whom he pleased, and afterwards tender them the fine for a blow prescribed in the law of the twelve tables.

dinary, that the same circumstance, the prosecution at the suit of the Prince, should have increased the severity of the penal laws in Asia, and moderated it in Europe. In the first instance, crimes are considered as personal offences to the sovereign, and on that account meriting the severest animadversion. In the latter, the Prince considers the injury to himself as merely nominal, and only as a mode of process, and consequently, except in state offences, does not prosecute the accused, or urge his punishment with any extraordinary rigour, or use any oppressive means for his * conviction; which would be more likely to happen if the prosecution was carried on at the suit of the subject. This circumstance alone is sufficient to raise our ideas of the European jurisprudence far above the Asiatic. There is likewise in general, and in England particularly, a great degree of decency in most of the corporal punishments. Women, and people of rank, are treated with a degree of respect even in their punishments, and are not insulted or triumphed over by the lowest people, as in some countries. It must however be confessed, that these improvements in legislation are far from being universally prevalent in those climates that gave them birth. The revolutions of empires, the different states of the people at different periods, in point of aggrandisement and civilization, together with divers other causes, have prevented or interrupted those improvements in this branch, to which the climate appears naturally to lead. Sufficient, however, yet remains, for us to discern that this science is planted here in its proper soil, however its growth may be obstructed by accidental circumstances.

* There is reason to believe, that in several of the European countries, this mode of process was instituted to prevent the practice of private war, and cruelty of revenge.

C H A P. XX.

EFFECT OF CLIMATE ON CUSTOMS.

THE effect of climate on customs I at first proposed to have considered jointly with that of laws; but as laws and customs are in themselves different, though nearly allied, I have separated them.

A custom may be defined, a general practice of performing or omitting any action.

Customs * differ from laws in several instances.

First, they are not written, or reduced into any † legal form.

Thus the custom of using a certain form of dress, though universal among us, is not a matter of law or obligation, either civil or moral, but merely a compliance with the rest of our neighbours. Laws, likewise, are always dictated by the sovereign or ruling power, wherever that be lodged; customs, if I mistake not, are always derived from the body of the people, being a kind of agreement among themselves, to follow, or comply with, a certain form or mode of practice. Probably it is on this account that customs are more influenced by climate than laws.

S E C T. I. *Effects of a hot Climate on Customs.*

Were we better acquainted with the customs and manners of hot climates, the influence of the latter would be more easy to be

* Manners and customs differ, in that the former relate principally to the interior conduct, the latter to the exterior.—Sp. of Laws, book xix. chap. 16.

† Where a custom affects a right, it has the force of a law, as in the common law of England; but I speak of it here, as concerned about matters in themselves indifferent.

traced. In some instances, however, it is still possible to discover the connection. Thus the dress of hot climates is always * loose and flowing, their public buildings are lofty and large, and their houses built in a peculiar manner, to prevent the effects of heat. These may be said to be customs derived from the † necessities of the climate.

Other customs also prevalent there, such as the confinement of women, and their consequent inferiority, and even state of servitude, are deducible from the jealousy, pride, and sensibility of those people, joined to a despotical form of government; of which last more hereafter.

But there are besides some ‡ customs, which yet appear to be dictated by the climate, for which it is difficult to assign an adequate cause.

Of this kind are the severe penances which some of the Indian § priests or dervises inflict upon themselves, and the custom of the women's burning themselves, on the death of their husbands, in the same country.

Mr. Montesquieu attributes these extraordinary customs to the high degree of sensibility with which these people are endued. Nature, he observes, having framed them of a texture so weak as to fill them with timidity, has also formed them of an imagination

* *Illic et laxas vestes et fluxa virorum velamenta vides.*—Lucan, speaking of the Parthians.

Veste non fluctante sicut Sarmatæ et Parthi.—Taciti *Germania*, cap. xviii.

The Turks and eastern people use a similar dress at present.

† “The loose and light vestments of the oriental nations are admirably adapted to the nature of their climate, and the numerous folds of the muslin turban are the best invented defence against the burning rays of a vertical sun.”—Irwin's *Voyage up the Red Sea*, p. 123.

‡ Vide an excellent account of many of these, and the causes of them, in Shaw's *Travels into Barbary and the Levant*.

§ See more on this subject when we come to speak of the effect of climate on religion.

so lively, that every object makes a strong impression upon them: that delicacy of organs that renders them apprehensive of death, contributes to make them dread a thousand things worse than death; the very same sensibility induces them to fly, and to dare, all * dangers.

Other reasons, however, of a more particular kind, here concur.

† Strabo and ‡ Diodorus tell us, that some people thought the latter of these customs was introduced to prevent the poisoning of husbands by their wives, which, Xenophon says, was a frequent custom in the East; but this Strabo thinks not to be the true cause. If, however, we consider the state and opinions of that people, this custom, horrid and barbarous as it seems, will not appear so extraordinary. Suicide was not uncommon in India. The belief of a future state, and that those who died at the same time, should attend their companions in another life, in the same capacity (which was the old doctrine of the || Scythians, and of the American Indians at present) account sufficiently why they should wish to die at the same time with those with whom they were connected in the present life. This would naturally arise, also, from a sense of female weakness, when their support was gone, which would produce a despondence in the widow; and with this a sense ** of glory, and fear of shame, to which superstition might be added, would co-operate. Fire was there a common mode of a voluntary death, as being esteemed a purifier, as it now is by the Mohammedans. Calanus, the Indian philosopher, burnt himself in the presence of Alexander, and the Bramins burn themselves at this day. Jealousy

* Spirit of Laws, book xiv. ch. 3.

† Lib. xv.

‡ Lib. xvii. p. 610. and lib. xix. p. 688.

|| Herodotus, lib. iv.

** Strabo and Diodorus tell us, that it was held a disgrace for the Indian women not to burn themselves on the death of their husbands.—Lib. xv. Strabonis, & Diodor. Sicul. lib. xix.

might,

might, perhaps, here concur. A man would not allow his wife to be connected with another, even after he was no more.

The customs of hot climates, as well as their manners, are in general extremely permanent. Thus those of the * East are nearly the same now that they were two thousand years ago. Their dress, at that time, was a loose robe, and a † turban upon the head, as at present. It was customary then, as now, for the prince to seclude ‡ himself from the public eye, and to live confined in his palace.

It was usual formerly, as it is at present, for the courtiers to attend in the || gate of the palace; a custom said to be introduced by the first Cyrus, but probably of much older date. The courts

* The Arabs, says Dr. Shaw, retain a great many of those manners and customs that we read of in sacred as well as in profane history. For if we except to their religion, they are the very same people that they were two or three thousand years ago, without having embraced any of those novelties, either in dress or behaviour, which have had so many revolutions among the Turks and Moors.—Shaw's Travels, p. 227.—See also a very sensible letter on this subject in Mrs. Kinderley's Letters from the East Indies, Letter lxii.

† Herodotus, book iii. — It is customary through all the East, says Sir John Chardin, to gather together an immense quantity of furniture and cloaths, for their fashions never alter.—It is the custom at present, as it was in ancient times, to paint the hair and edges of the eye-lids with stibium, or the powder of lead ore.—Shaw's Travels, p. 294.—See too the Notes to the Bishop of London's Translation of Isaiah, ch. iii. verse 16.

‡ Vide Herodotus's account of Deioces, King of Media, lib. i.—Justin's account of the Persians, book i. ch. 9.—and Strabo's account of the Ethiopians, book xvii.

|| Hence, sitting in the king's gate, was a mark of honour, probably, as denoting an attendance upon the king. Thus Mordecai the Jew sat in the gate of king Ahasuerus, and Daniel in that of Nebuchadnezzar; and Xenophon, both in the Expedition of Cyrus, and in the Cyropædia, speaks of the attendance of the principal courtiers at the king's gate. Εφοιτων μὲν οὐν ἐπὶ τὰς θύρας κυροῦ οἱ ἐντιμώτεροι οὐν τοῖς ἵπποις καὶ ταῖς αἰχμηταῖς.—Cyropædia, l. 8.—The same custom is in use in the East at present, and in Barbary, as we are told by Dr. Shaw; who is of opinion, that the court of the Grand Seignior was called the Porte from hence.—Shaw's Travels, p. 253, 4to edition.

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of justice also, were then held in the gate of the palace, as * they are in the present age.

It was also the custom of the Medes †, in very ancient times, to send to strangle a governor who had incurred the displeasure of the emperor; and the same practice exactly is in use at present.

Strabo and Diodorus Siculus, both of them mention the Indian women burning themselves at the death of their husbands: and the circumstances ‡ attending this horrid ceremony, are described by the latter of these authors to have been almost exactly the same with those now practised. Numerous instances besides might be produced, many of which are taken notice of in Dr. Shaw's Travels to the Levant and Barbary.

* Hence, the expressions in scripture,—“unto the elders of the city in the gate.”—Deuteronomy, xxii. 15. and xxv. 7. —“They shall not be ashamed when they speak with their enemies in the gate.”—Psalm cxxvii. —“Lay a snare for him that reproveth in the gate.”—Isaiah, xxix. 21. —“They hate him that rebuketh in the gate.”—Amos, v. 10. —Homer, likewise, makes Priam sit with his counsellors in the Scæan gate. And Plutarch tells us, that at Rome, some of the trials, even of capital offences, were in the gates of the city. Thus Manlius Capitolinus was tried in the gate. —Plutarch's life of Camillus. —Dr. Shaw tells us, that at Algiers the courts of justice are now held in the gate of the palace, exactly as formerly. It is remarkable, that even in our own country, the prisons were formerly mostly in the gates of towns: perhaps from some idea of this kind. Newgate, Ludgate, and the Gatehouse, in London, were of this sort; and numerous instances might be brought from other places.

† Vide Nicolaus Damascenus.

‡ Diodorus tells us, that the burning was quite voluntary, and that the women contended for it as an honour. —The widow was attired in her best dress and ornaments, and crowned with a crown, when she was led to the pile: she there distributed her ornaments amongst her friends, and took leave of them; and being placed by her next relation on the pile, she then leaned on her deceased husband's body, and endured the flames without shrinking, or shewing the least sign of impatience or feeling of any kind. —Diodorus, book xix. —An account nearly similar, but of a woman of an inferior rank of life, is given in the Annual Register for 1777.

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This immutability of the customs in these climates, is owing to several causes. First, the regularity of the climate itself, which is subject to far less variety than those are which lie in a more temperate latitude, so that their way of life throughout the whole year is nearly uniform.

Next, the delicacy of the organs of sensation, which renders these people so susceptible of every impression, is accompanied also with a sort of laziness of the mind, naturally connected with that of the body, by which they become incapable of any action or effort. From this it is easy to comprehend, that when the soul has once received a strong and repeated impression, it can hardly change it. Hence the amazing force of habit in those countries. Every repetition of a practice, impresses it still more strongly; and, like what Mr. || Burke says of the same effect of the same cause operating on mad-men, "their hurry of spirits, (arising from too great sensibility) unrestrained by the curb of reason, continues to the end of their lives."

This, perhaps, may be the cause of some of the above-mentioned seeming contradictions in the character of these people.

Another cause of the permanence of the customs in these countries is, their being united with religion and the laws. In India, the religion, laws, and customs, are all the same; every usage is a precept of religion, and a maxim of jurisprudence; and the same is true of China.

Mr. Montesquieu * is of opinion, that the difficulty of writing has been one cause which has contributed to imprint the customs of the Chinese more deeply on their minds, as it employs their attention through life, and is necessary to enable them to read and understand the books in which these customs are contained.

|| Sublime and Beautiful; part ii. § 8.

* It is this, says that writer, which has banished laziness, established emulation, and cultivated a love of learning. — Spirit of Laws.

Another cause assigned by this † writer is, that these rites or customs having nothing in them that is ‡ spiritual, but being merely rules of common practice, are more adapted to convince and strike the mind, than things merely || intellectual. This is especially the case in warm climates, where sensible objects make the strongest impression.

Customs, likewise, in hot climates, are very universal, at least through the more civilized parts. Thus the same mode of life and customs prevails in a good measure, through the East; and the vast empire of China is under the direction of an uniform custom, even in the most minute articles. The reason given above for the permanence of the customs, accounts sufficiently for their universality.

S E C T. II. *Effect of a cold climate on customs.*

Cold climates, as well as hot, influence the customs of a people: though not, I think, so powerfully, universally, or uniformly.

Thus the form of dress, in cold climates, as well as in hot, is probably a custom suggested by the climate. This, though it has varied much in its form, had probably, in its origin, a considerable resemblance to our present mode; at least to the dress in use about two hundred years ago. Thus Tacitus tells us, that the dress of the * Germans, in his time, was not loose and flowing, like that of the Sarmatians and Parthians, but close and tight to the body, and allowing the shape of all the limbs to be distinguished

† Spirit of Laws, book xix. ch. 17.

‡ This will be farther explained afterwards, when we come to speak of the effect of climate on religion.

|| This seems to have been the opinion of Cicero:—"Et si omnia præcepta philosophiæ referuntur ad vitam arbitramur nos & publicis & privatis in rebus ea præstitisse quæ ratio & doctrina præscripserit."—*De Natura Deorum*, lib. i.

* Germania, cap. xvii.

through it. The dress of the German women, as described by that author, resembles the European dress in the present age still more nearly. Their garments had no sleeves, but the arms were naked from the elbow to the wrist, and the upper part of the neck bare also. It is difficult to conceive how this form of dress came to be chosen for a cold climate. Perhaps it was on account of its being better adapted to some kinds of domestic industry, as washing cloaths, &c.

The learned Dr. Arbuthnot is of opinion, that the air, or rather the temperature, has some influence in forming the nature of the language. The serrated close way of speaking of the northern nations, may be owing to their reluctance to open their mouths wide in cold air, which must make their language abound in consonants. Whereas, from a contrary cause, the inhabitants of † warmer climates opening their mouths wider, must form a softer language, abounding in vowels.

The attachment of the people of cold climates to their customs, is far less than in hot. The Czar Peter the First, accomplished an almost entire change in the manners and customs throughout the vast empire of Russia; and this without any great opposition, or the being obliged to have recourse to arms. An attempt of the like kind in China ‡, though far less extensive, produced a revolution in the state. If we consider the different characters of the people, the former strong and courageous, the latter weak and effeminate, we may judge with how much greater ease the customs were likely to be imposed in China than in Russia: had it not been, that where the power of resistance was greatest, the disposing cause was least: and where that power was least, its ordinary deficiencies were compensated by the cause disposing to resist, their attachment to customs, being so much greater.

† Arbuthnot concerning the *Effects* of Air upon Human Bodies, ch. vi. §. xx.

‡ An attempt of one of the Chinese emperors, to oblige his subjects to pare their nails and cut their hair, produced a revolution.—Du Halde.

S E C T. III. *Effect of moderate climates on customs.*

Moderate and temperate climates can scarcely be said to have any customs peculiar to them. Their usages or practices, likewise, are extremely || mutable, at one time leaning towards those of the colder, and at others towards those of warmer climates, accordingly as increase of dominion, riches, or influence of any particular state, and a thousand other circumstances, lead or direct.

C H A P. XXI.

INFLUENCE OF CLIMATE ON THE FORM OF
GOVERNMENT.S E C T. I. *Effects of a hot climate.*

THE influence of climate on the form of government is no less powerful and extensive, than in any of the other respects above-mentioned.

Where the heat of the sun prevails to a great degree, the government, except where particular causes (such as I shall hereafter mention) have intervened, has been always and uniformly † despotic.

|| The celebrated author of the Persian Letters, has made the sudden and frequent changes of the fashion and customs at Paris, an object of the greatest surprise to the Persian traveller.

† Felices Arabes, Medique Eoaque tellus,
Quam sub perpetuis tenuerunt fata tyrannis.

LUCANI, lib. vii. l. 442.

As knowledge and science were first known in the East, it is possible that Sallust, Justin, Cicero, and some other writers, might draw from thence the idea, that kingly government was the most ancient of any.

“ Igitur

spotic. This has been the state of the continent of † Asia, and of Africa (Carthage, and perhaps Cyrene, excepted) from the earliest times, and appears likewise to be the condition of the warmer parts of America.

This seems easily deducible from the effects of heat on the human body, before recited.

The preservation of liberty, either civil or political, requires national vigour and exertion in the support of those privileges to which the people have assumed a claim; and without courage and resolution, no effectual support can be given. If multitudes, therefore, as in the timid empires of the East, shrink, either before a foreign invader, or the ambition of a fellow citizen, what wonder is it that encroachments should take place? Laws and forms of government are but slight barriers, unless supported by steadiness and resolution; and, instead of contributing to the support of liberty, often furnish only a pretence to make the government more despotic ‖, oppressive, and tyrannical, by the preservation of the ancient form and appearance.

The indolence, likewise, of the people of hot climates, has contributed greatly to produce this form of government.

The preservation of liberty requires not only courage and re-

Igitur initio reges (nam in terris nomen imperii id primum fuit.) — Sallustii Bell. Catalinar.

Principio rerum, gentium nationumque imperium, penes reges erant.

Populus nullis legibus tenebatur, arbitria principum pro legibus erant. — Justin, lib. i.

Omnes antiquæ gentes regibus quondam paruerunt. — Cicer. de Leg. l. iii.

† *Vides quam libenter Syri inserviunt aliis nationibus, contra verò quantus amor libertatis in Celtarum populis. — Julian apud Cyrillum. — “Much the greatest part of Asia is under a kingly government.” — Hippocrates de aeribus, aquis, & locis, § xxxix. & § liv. — Strabo says, the people of both Asia and Africa were used to be governed by kings, lib. vii.*

‖ This was the state of the Roman government under some of the emperors. Tiberius executed all his bloody and execrable purposes under pretence of the authority of the senate.

solution, but a constant and unremitting attention, that no breach be made in the constitution, or encroachment upon private property. But the laziness of this people is such, that injuries are more tolerable than the trouble of redressing them; and they think it easier to submit to the violence or wrong, than to undergo the * fatigue of procuring relief by asserting a right.

The simplicity of a despotic government, also, is very agreeable to a people of this disposition. Liberty requires a number of forms in the decision of a dispute; and that no punishment be inflicted, or property disposed, without a certain ceremonial of justice. Every thing there is considered as governed and directed by laws made antecedent to the event. This naturally gives birth to altercation and dispute concerning the meaning of these laws, and prolongs the time of decision. But, as I have before remarked, the simple and speedy determination incident to a despotic government, is more agreeable to the manners and disposition of the people, and compensates in some measure for the precariousness of their liberty and property.

This indolence forms, perhaps, the best apology for despotism and servitude that can be offered. In countries † where the heat is excessive, it enervates the body to such a degree, and renders men so slothful, that nothing but the fear of chastisement can oblige them to perform any laborious duty. Slavery is therefore more reconcileable to reason; and the master being as lazy, with respect to his sovereign, as the slave is to his master, this adds a political to a civil slavery.

The general depravity of manners also, among the people of hot climates, is another, and a principal cause why their government is despotic. It has been well observed, that the rules of despotism were made for corrupted men; and this species of govern-

* Slavery is there more supportable, than the vigour of mind necessary for human conduct.—*Spirit of Laws*, book xiv. ch. 3.

† *Spirit of Laws*.

ment, indeed, comes naturally in the progress of a continued and growing corruption. Were liberty to be offered to a people in such a state, it would be only an aggravation of their misery, by removing many of the checks to lust, avarice, and rapacity.

A free government can only be maintained, where individuals have some degree of confidence in one another. But there can be no confidence in a corrupt society, but of necessity a mutual distrust; consequently, such a form could not subsist.—The project of bestowing * liberty upon a people actually servile, is, perhaps, of all others the most difficult; and requires most to be executed in silence, and with the deepest reserve. — Men are qualified to receive this blessing only as they are made to apprehend their own rights, and to respect the just pretensions of mankind; in proportion as they are willing to support, in their own persons, the burden of government and of national defence, and are willing to prefer the engagements of a liberal mind, to the enjoyments of sloth, or the delusive hopes of a safety purchased by submission and fear. For these reasons, the despotic form of government has always prevailed through the East. Revolutions, indeed, have often taken place; but these have only produced a change of masters, without causing any alteration in the nature of the government.— This uniformity is owing to the same causes that produced the same effects on the laws and customs; and particularly to that policy in the legislators, that connected the manners, laws, customs, form of government, and religion, together, and thereby rendered their overthrow nearly impracticable.

Probably it was owing to an observation of these circumstances, that Alexander the Great, after having conquered Persia, instead of attempting to new model the government, according to the plan of the Macedonian or Grecian states, as he was advised by Aristotle, not only left it in its ancient form, but himself adopted, and obliged his followers to conform to the Persian model and cus-

* Ferguson on Civil Society.

toms, and even to assume the habit of that country: a policy which has always been much applauded, and which appears to great advantage, if we consider that Alexander herein acted contrary to the advice of his principal counsellors; which could only proceed from his greater and more penetrating genius, perceiving the necessity of such conduct. The consequence of this management was, that, at his death, whilst his other dominions were disturbed by intestine commotions, not a single province of Persia revolted.

Mr. Montesquieu *, on this occasion, draws a comparison between Alexander and Julius Cæsar, in which the Macedonian prince appears to great advantage. The Roman general, he observes, by attempting to imitate the Asiatic monarch, flung his fellow-citizens into a state of despair, for a matter of mere ostentation; the Macedonian prince, by the same imitation, did a thing which was quite agreeable to his original scheme of conquest.

The connection between the form of government, and the customs, of hot climates, appears remarkably in the circumstance of the † confinement, and consequent state of subjection, of the women.

Despotism requires, above all things, that a particular regard should be paid to its tranquillity, and, where the extreme subordination calls for it, it is absolutely necessary to confine the women, as their intrigues would prove fatal to their husbands. A government, which has not time to examine into the conduct of its subjects, views them with a suspicious eye, merely because they appear at all, and suffer themselves to be known. Let us only suppose that the levity of mind, the indiscretions, the tastes and caprices of our women, attended by their passions of a higher and lower kind, with all their active fire, and that full liberty with which they ap-

* Spirit of Laws, book x. ch. 14.

† The confinement of the women in the East is also said to be necessary, in order to preserve their morals.—Sp. of Laws, book xvi. ch. 10.

pear among us, were conveyed into an eastern government; where could be the father of a family, that could enjoy a moment's repose? The men would be every where suspected, every where enemies; the state would be overturned, and the kingdom overflowed with rivers of blood.

It seems extraordinary at first sight, that whilst the power of husbands over their wives is so great, so little attention should be paid in these countries towards enforcing paternal authority. There, however, appears a reason for this, founded on the nature of the government.

In a † republic, where morality and virtue are of great consequence, and, as it were, its supports, paternal authority is generally in high respect, as conducing to that end; but in despotic governments, where virtue and public spirit are, as it were, opposite to the principles of the constitution, no attention is paid to the support of paternal authority.

This authority would also be dangerous to be encouraged under that form of government, on another account.

Fear is the principle of despotism, and the nature of it requires, that it should be confined to a single object, the sovereign. Now if paternal authority were established, the subject would be distracted between the obedience due to his father, and that to his sovereign, and consequently the tranquillity and uniformity of the government would be destroyed, and a different object of regard established; a thing incompatible with this form of government.

It is likewise very probable, that the polygamy that prevails through the East, would be a powerful cause of the relaxation of the attachment between parents and their children; the variety of

† Republican governments are not possessed of a force so coercive as other governments; the laws, therefore, must supply this defect by some means or other, and this is done by paternal authority. But despotism, whose spring is fear, is of itself sufficiently coercive, and wants no aid from paternal authority.—Vide Sp. of Laws, book v. ch. 7.

the connections, and the mutual jealousies between the different families, would, we might imagine, tend to destroy that confidence, on which this regard depends.

SECT. II. *Effect of a cold climate on the form of government.*

From what has been said of the effects of cold upon the human body, we might be led to imagine, that its influence on government would be totally opposite to that of heat; and where the cold is not in the extreme, this is really the case; but when that is excessive, its effects in a great measure resemble those of extreme heat.

The disposition of mankind is prepared for servitude in either extreme of temperature. In the one, the inactivity of the people makes them think no evil so great as exertion and resistance, and their sensibility magnifies the difficulty and danger of every step of this kind. In the other, the insensibility is so great, as to make them disregard the progress of despotism, and perhaps not feel its effect until resistance be too late.

The maintenance of liberty demands not only resolution and good intention, but a vigilant and || constant regard to the proceedings and business of government. If this vigilance be ever intermitted, one incroachment is pleaded in behalf of another, and the people are defrauded of their freedom before any alarm is given of its being in danger.

In hot climates, as Mr. Montesquieu observes, the spirit is subdued by fear of the future; in cold ones, it is not roused, even by sense of the present.

But although the government of countries in the extreme of cold,

|| Tyranny is ever feeble and slow at its commencement, as in the end it is active and lively; which at first stretches out a hand to assist, and exerts afterwards a multitude of arms to oppress.—Sp. of Laws.

may appear equally despotic with those in the extreme of heat, (that is, in neither is there any constitutional bar to the will of the prince) yet the subjection in cold climates is by no means so abject as in hot ones. The princes themselves, not being enervated by the climate, are more brave and courageous in their persons, and, of consequence, less suspicious and tyrannical. They are not endowed with much sensibility or subtlety, and therefore less prone to court-intrigue, to which multitudes are sacrificed in the despotic empires of the East.

They are not, likewise, so indolent as to trust their affairs entirely to a * prime minister; but generally superintend them themselves: whence their authority is less subject to be prostituted to the gratification of avarice or private resentment, which is one of the greatest aggravations of the misery of despotism.

Jealousy too has scarcely any place among them, and thus another source of cruelty is cut off.

Lastly, their acquaintance with the character of the people warns them against any very violent or injurious exertions of power. Their subjects, though not easily roused, are not insensible, and upon an adequate provocation may exert themselves; and in such a case their resentment cannot fail of being very dangerous, as being very durable, and, by their bravery and resolution, furnished with the means of its gratification.

It was, probably, from some suggestion of this kind, that the Russian government, since the country was in some measure civilised, and arms put into the hands of the inhabitants, have very prudently made use of many expedients, which have the appearance at least of tempering their arbitrary power. They have

* Mr. Montesquieu's remark (Sp. of Laws, book ii. ch. 5.) that in a despotic government, the single person invested with the power, always commits the execution of it to a single person, and neglects the management of affairs himself—is applicable to the eastern governments, but not to those of cold climates. The princes of Russia have always attended in person to business and affairs of state.

broken their vast bodies of troops, abolished capital punishments, mitigated their penal statutes, enacted permanent laws, erected tribunals of justice, entered into a knowledge of the laws themselves, and published them to the people, instructed their subjects, and condescended to reason with them, and, what is more important, released the common people, in a great measure, from the slavery to the higher ranks, to which they were subject.

The insensibility, however, of this people, with respect to matters of government, is in some instances very remarkable. Several revolutions in the state have occurred within the last forty years, which have been attended with a consequent change in the succession to the throne; yet none of these produced any insurrection among the subjects of the empire in general, who acquiesced under the government of Anne or Elizabeth, Peter or Catherine, with equal indifference. The like happens, indeed, in the eastern kingdoms, but from a different cause. In the latter, fear is the motive of obedience; in the former, their acquiescence is owing to insensibility.

This has some bad effects in the state, as it renders the throne unsteady, and the succession uncertain. I imagine, however, that it is productive of some happy consequences: it excites princes to distinguish themselves in some striking and useful improvements, and to attract the notice and respect of their subjects by † splendid and gallant actions, in order to make some impression upon their dispositions, and lay the foundation of their authority in the esteem and admiration of the people.

This circumstance renders a government of this kind much more tolerable to the people, than the despotical constitutions of Asia and Africa. In the latter, the prince, relying on the fear his subjects have of him, as his greatest support and security, endeavours

† “*Precipua rerum ad famam dirigenda.*”—Taciti Annal. lib. iv.
Vide also Machiavel's Prince, chap. xxi. on this subject.

to strengthen his authority by means which operate upon their timidity. Hence they are apt to perform acts of cruelty and of oppression, not only to gratify avarice or resentment, but, by terrifying † the people, to prevent opposition to their own power. But should a prince, in a cold climate, attempt to establish his authority by such means, he would be more likely to rouse than to silence opposition. His power depends on his keeping within certain bounds, and not exerting it in actions that may stir up a spirit of resistance.

S E C T. III. *Influence of a moderate climate on the form of government.*

The form of government in moderate climates is, like their manners and customs, of a mixed kind, varying from the most perfect republic to a great, though not absolute, degree of despotism. This is fully exemplified in the history of Europe, both ancient and modern, which has exhibited instances of all the above-mentioned modes of government, many of which have, at different periods, occurred in the same state. It is, however, a melancholy consideration, that arbitrary power appears at present to preponderate greatly. Our own country, however, the Swiss, and perhaps some others, still remain instances of a contrary tendency; and that they may ever continue so, to their own mutual support, and that of virtue and liberty, is the wish of all who understand, and mean to promote, the interests of mankind.

The reasons before given for the instability of their manners and customs, afford a sufficient cause for the mutability of the form of government. It is, however, necessary to observe, that the power

† Philip de Commines tells us, that Lewis XI. (who in arbitrary disposition, cruelty, and suspicious turn, resembled an eastern monarch) used to punish and execute a great number of people, in order to make himself feared and obeyed.—Memoires, liv. iv. ch. 8.

vested in the hands of the sovereigns of Europe, who esteem themselves the most absolute, is still far short of that of the eastern monarch. Though there is here, indeed, no constitutional || bar to the will of the prince, yet his power is circumscribed by various circumstances.

First, there are, in every country in Europe, certain laws and privileges, which have existed time immemorial, and which, by constant observance, are accounted part of the constitution of the country, and equally sacred with the authority of the prince: these, of consequence, it would be dangerous to infringe. Of this kind is the Salic law in France, and perhaps some others. The greater progress also, and more general diffusion of learning among all ranks of people, has been no small check upon despotism in Europe. It has taught the people to know and assert the rights of mankind, and warned princes to respect them. Accordingly we find, that where literature has been encouraged, it has always tempered the violence of arbitrary power. But more of this in another place.

Besides, the disposition and temper of the inhabitants of moderate climates is averse to despotism. These people have a natural turn for enquiry, and for speculation, and a certain degree of unsettledness, in any, even the most happy situations. How would such a people endure the rigours and tyranny of an absolute government? In hot climates, the people are content with despotism, from laziness and cowardice, and in cold ones, from insensibility; but in a moderate climate, slavery would be insupportable, from the uneasiness the reflection on it would occasion. The distinction, therefore, of Mr. Montesquieu, is well founded, wherein he gives to the

|| A great degree of despotism has been sometimes practised by the European sovereigns; but it has seldom been openly avowed. Pliny, in his panegyric upon Trajan, intimates, that the law was to be the rule of obedience in the subject.

Regimur a te, & subjecti tibi, sed quemadmodum legibus sumus.—Plinii Panegyri. Trajan.

European sovereigns the title of * monarchs, whilst that of despot is confined to the princes of the East, and the hotter climates.

It must, however, be confessed, that exertions of power, highly tyrannical, have occurred, and still occur, in the European governments : but these, not unfrequently, have met with either such a resistance as has prevented their frequent repetition, or have at least excited such a spirit of discontent as has been equivalent to a bar against their being often repeated.

The forms of government in moderate climates not only vary more from one another, but are also less † uniform in themselves, than in the extremes of either hot or cold. Scarcely any country in Europe, Russia excepted, (which may well be accounted to be beyond a temperate latitude, and has only of late been known) but has changed its form of government several times. I mean not, however, to say, that the external form has in many of them varied much ; but the powers ascribed to the different orders in the state have been at times distributed in different proportions ; at one period inclining to the people, at another, to the nobility, and again to the regal power, as circumstances may have varied.

This mutability in the form of government is owing, in a great measure, to the variability of the manners and customs : the people not having any inherent attachment to one or another form of government, but subject to alter it as the state of affairs changes. Another reason why the form of government in temperate climates, Europe particularly, has been more variable than in the East, is that the Europeans have been subject to much greater changes in

* Monarchy is that government in which a single person rules by fixed and established laws ; despotism, that in which a single person directs every thing by his own will and caprice.—Sp. of Laws, book ii. ch. i.

† This variability of the form of government in moderate climates may, perhaps, be one of the reasons which cause them to have a tendency to liberty, or, at least, to moderation. Mr. Hume observes, “ that governments, very steady and uniform, are seldom free.”—Hume’s Hist. of England, chap, lxxi.

point of civilization and improvement. At one period, learning, and the cultivation of arts, was carried almost to its highest pitch; which again, by the inundation and ravages of the northern nations, sunk nearly into absolute barbarism, and again emerged into the state in which we see them at present. The alteration of manners consequent upon such changes, as well as the introduction of a * new set of people into every country, must necessarily alter the form of government; which, we may observe, has, in effect, often happened.

In Persia and India, although revolutions in the state have frequently taken place, they have not introduced such a destruction of arts, and of civilized manners: because the customs have early and deeply been impressed into the mind of each individual; and the arts of life and of civilization, being considered as such, have formed a permanent depositary in the mind of each person, which prevents their being lost or destroyed; so that when the hurry of conquest is over, things soon return into their old channel. Moreover, as the arts before mentioned render both the country and the people more valuable to the conqueror, he is disposed to encourage them upon his own account.

These circumstances afford an obvious and a powerful cause of the uniformity of the government in the East; and in consequence thereof we may observe, that the conquerors of Europe have always attempted to new-model the government of the country on which they seized, whilst those of Asia were content with changing the succession, and left all the forms of government as before.

* This was the case with the Goths, and the other barbarous nations that invaded the Roman empire; and in some degree with the Normans, at the invasion of William the Conqueror. I do not mean to enter into the question, how far this acquisition of the throne of England was by conquest, considered in the light of a victory over the English, but only to remark, that his accession produced many material alterations in the constitution and form of government. — Blackstone's Comm. book iv. ch. 33.—and Hume's History, Reign of William I.

C H A P. XXII.

EFFECT OF CLIMATE UPON RELIGION.

S E C T. I. *Object of Religion.*

THE sensibility of mind, incident to hot climates, is more connected with sensible and visible objects, than with mere spiritual ideas. This is easy to be understood from what has been before observed concerning their disposition. The present object affects them so powerfully as to leave no room for reflection upon others more remote. Now as sensible objects make the most immediate impression, and are most constantly present, it seems reasonable to infer that they would engross the attention of such a people. This seems strongly exemplified in the present instance. Almost all the religions of hot climates were connected with some sensible object. Thus the ancient religion of the Persians was directed to the * sun principally, to whose influence they were particularly exposed. They also worshipped the † moon and celestial bodies, and fire (perhaps as emblematic of the sun) the earth, the winds, and water. Nearly the same objects of worship were adopted by the ‡ Egyptians and Assyrians, and in later times by the people of Peru and Mexico. Numberless instances might be

* Strabo, lib. xv.—Herodot. lib. i.—Justin, lib. i. cap. 10.

† Ibidem.

‡ The Sun under the name of Osiris, the Moon under that of Isis, Water under the name of Oceanus, Air under that of Minerva, and the Inventor of Corn under that of Ceres, were the principal deities of the Egyptians.—Diodorus Siculus, lib. i.

The moon and stars were a very natural object of worship, in a country and climate where the night was rather the time of recreation than of repose. They slept on the tops of the houses in the summer season, which were flat-roofed for that purpose, and the clearness of the atmosphere in that climate rendered the heavenly bodies always visible.

brought

brought from other countries, situated in hot climates, of the same disposition, with regard to religion, prevailing there.

The * image-worship also, which formerly was so universal in the pagan world, was probably owing to this attachment to † sensible objects. The deification, likewise, of men who had become illustrious or powerful here upon earth, was likely to spring from the same source.

But the power of climate, in this respect, has not been exerted upon false religions only. It has also infected the true; witness Christianity.

Notwithstanding the contradictoriness of this practice to the fundamental precepts of this religion, we see that the worship of images has prevailed through a great part of the Christian world. Thus the Romanists, at present, pay an extravagant and absurd, not to say an impious, adoration to certain images of saints, and of other holy persons, on which they bestow honours due to the Almighty only; the doing of which had formerly been the foundation of one of their most vehement charges against the heathen world.

From the same cause is derived, in some degree, that extraordinary regard and veneration paid by that religion to relics or remains of persons illustrious in religious concerns. Something of

* The Mahomedan religion allows no representation of the Deity; but this tenet was, perhaps, borrowed from the Jews.

† Perhaps this attachment to sensible objects may be, in some measure, owing to the nature of the government in hot countries. It is remarked by the Marquis Beccaria, that as the sentiments which unite us to the state become weaker, those which attach us to the objects which immediately surround us, grow stronger; now in a despotic government there is no regard or attachment to the state whatsoever, but all is governed by fear only.

Perhaps this regard to visible objects, in the religion of hot countries, may be a more powerful cause of the prevalence of the Romish persuasion in hot, and its rejection in cold climates, where the contrary idea prevails, than that of the greater spirit of liberty and independence, and their consequent aversion to a visible head of the church, which is the reason assigned by Mr. Montesquieu, in the *Sp. of Laws*, book xxiv. ch. 5.

this sort appears to be natural to the human mind, and implanted in us for a * good purpose. No one can be ignorant of the regard, and even veneration, usually paid to such things as have belonged to those to whom we are attached, either by love or respect; but it has been peculiar to certain climates and situations, to exalt their value and consequence to the extravagant pitch which is here considered.

From a similar disposition, joined with somewhat of a turn for gallantry, both of which are congenial to a warm climate, arises that extravagant attachment bestowed by the Romish church upon the Virgin Mary; whom they have, without any foundation in history, described to have been of exquisite beauty, and have also, in all their paintings, statues, and sculptures, arrayed with the richest apparel; and their addresses to her are often couched in such terms as to resemble more the effusions of a carnal passion, than the religious veneration due to a supposed superior being. Their jealousy, also, of the respect due to her rank and character, appears to be of the same nature. † When the people of Ephesus were informed, that the fathers of the council had declared that they might call the Virgin Mary the Mother of God, they were transported with joy; they kissed the hands of the bishops; they embraced their knees; and the whole city resounded with acclamations.

In another place, a Jew was accused of having blasphemed the blessed Virgin, and, upon conviction, was condemned to be flayed alive. A strange spectacle was then seen—Gentlemen, masked, with knives in their hands, ascended the scaffold, and drove away the executioner, in order to be the avengers, themselves, of the

* Sallust tells us, in his preface to the Jugurthine war, that Fabius Maximus, and Publius Scipio, and many other great men, used to say, that when they looked on the statues of their ancestors, their minds were fired, to the last degree, with the love of virtue; which naturally excited in them an attempt to emulate the characters which were the objects of their admiration.

Dr. Johnson, likewise, has described the effects of memorials of this kind with great elegance, as well as justness of sentiment.—Rambler, No. 83.

† St. Cyril's Letter.

honour of the blessed Virgin. I do not, says Mr. Montesquieu, chuse here to anticipate the reflections of the reader.

The strongest instance, however, of attachment to visible objects, is contained in the Romish doctrine of transubstantiation, wherein this idea is carried to an inconceivable length. It is needless to expatiate on the absurdity of this ridiculous farce; but I shall only remark, that, absurd as it is, it was conceived with great knowledge of human nature, and admirably adapted to the disposition and state of improvement of the people on whom the deceit was to be practised. Since, however, the advance of science and philosophy in Europe, this tenet has been gradually losing ground; and, although still maintained by the Romish church, it requires all the violence of arbitrary power, as well as all the sophistry of jesuitism, to prevent its becoming universally an object of ridicule, as well as of abhorrence. The disposition of cold climates is directly opposite in this respect. Religion with them is rather a subject of internal contemplation; and its influence is directed more to the reason than to the passions. Hence they have always been averse to * representations of the Deity by sensible objects. This is the character given by Tacitus of the ancient † Germans; in which respect they differed much from their neighbours the Gauls, who had many images of their ‡ deities.

The same disposition has prevailed in Christianity. In times of ignorance and barbarism, and when the spirit of the people was subdued, the absurdities of the Romish church were received among the northern nations; but when learning and a spirit of enquiry began to be diffused, the people presently exerted the disposition natural to them, broke their chains, and established a

* *Cæterum nec cohibere parietibus Deos neque in ullam humanitatis speciem assimilare ex magnitudine cælestium arbitrantur.*—*Germania*, chap. ix.

† Tacitus, in his account of the Germans, is thought to have described the manners of the northern nations.—*Vide Sir Thomas Craig de Jure Feudali.*

‡ *Cæsar Comment. lib. vi. chap. 9.*

mode of worship consonant to the ideas suggested by the climate. This has been the case with several of the northern powers, as Sweden and Denmark, and a great part of Germany, to whom the idolatrous worship of images was a principal * object of detestation.

From the same turn of mind arose the violent opposition which the northern nations made to transubstantiation; a doctrine which comprehended all the impiety of the former, joined to an absurdity more † glaring and impudent.

The truest ideas, however, of the objects of religion, as well as of other sciences, have been always found in temperate climates. Greece and Italy, formerly, furnished the justest notions concerning the ‡ being and nature of the Deity: and although it pleased the Almighty to make a warm climate the scene of his particular revelation, it has been in temperate latitudes that Christianity has been best understood and practised. It is, indeed,

* The idolatry of the Romish church in image-worship, was the principal article alledged against them by the Reformers. Hence, the latter demolished the statues in the churches, and even those on the outside. In many places, particularly in Scotland, they even destroyed the churches themselves.

† Cicero speaks of the eating of a god as the height of madness and absurdity:—*Quum fruges Cererem vinum Liberum dicimus, genere nos quidem sermonis utimur usitato, sed equem tam amentem esse putas, qui illud quo vescatur deum credat esse?*—*De Naturâ Deorum*, lib. iii. cap. 53.—Who could have thought, that at any period, the belief of the same folly should be enjoined in the same country, on the penalty of being burnt alive?

‡ “The philosophers say, that we are first to learn that there is a God, and that his providence directs the whole; and that it is impossible to conceal from him, not only our actions, but even our thoughts and emotions.”—*Epictetus*, book ii. ch. 14. § 2.—All things, says *Marcus Antoninus*, are full of the Deity and his providence; nor do those things which appear to happen by chance, fall out without the assistance of nature, or without a connection with and dependence on the regulations of providence.—*Marcus Antoninus*, book ii. § 3.

Numberless instances of the same kind might be produced from *Xenophon's Memorabilia*, and *Cicero's* and *Plutarch's Philosophical Works*.

unfortunate,

unfortunate, that such countries are subject to great revolutions in point of improvement and science, the bad and good effects of which have been felt in religion, as well as in other branches of knowledge. At one time it has been made an article of liberal study and enquiry; and at another it has been wrapt up in mystery, obscurity, and implicit faith. It is, however, greatly to the credit of our own country, that one of the greatest * men of the age, and who was himself of a different persuasion, should recommend the works of the English divines, as some of the best that have been written on this subject.

S E C T. II. *Attributes ascribed to the Deity.*

The influence of climate is also discernable in the attributes ascribed by different nations to their deities. Thus the Indians, where the heat is very great, make inactivity one of the attributes of the Supreme Being, and his † principal perfection; as it constitutes the greatest happiness with them here upon earth. In countries where the heat was less violent and constant, and not so enervating to the body, and consequently where the indolent habit was less prevalent, but the sensibility to the pleasurable passions very powerful, a disposition to pleasure of the amorous kind, was esteemed an attribute of the Deity. Hence the fables of Cupid and Venus in the island of Cyprus; of Venus and Adonis in Syria; and many others of the amours of the deities in the Pagan Mythology.

Northern countries, on the other hand, have attributed an active disposition, both of mind and body, to the Deity. Thus the Scy-

* Spirit of Laws, book xix. ch. 27.

† The Indians believe, that repose and non-existence are the foundation of all things, and the end in which they terminate. Hence they consider entire inaction as the most perfect of all states, and the object of their desires. To the Supreme Being they give the epithet of Immoveable.—Panamanack. vide Kircher.

thians † worshipped deities that corresponded nearly with Hercules, Mars, and Apollo. The ancient Germans regarded the Deity as the || inventor of useful arts, and ascribed to him both strength and courage. — A deity, nearly of a similar kind, was worshipped by the § Hunns and the Alans.

Moderate climates have carried this idea still farther, and imputed every useful art or invention to some Divinity. Thus Ceres was the inventor of corn or bread, Bacchus of wine, Minerva of useful domestic arts, Diana of hunting—all which prove, that they ascribed an active principle to their deities; and were of opinion, that they concerned † themselves about the affairs of life. Their opinion of the Supreme Being was, indeed, much more just and rational than that of the other extremes, and more consonant to those informations which we have received from revelation. It was, nevertheless, unassisted by the latter, so imperfect, as to convince us that human reason, however it may be counted an useful assistant in religious matters, is by no means to be esteemed as an infallible guide.

S E C T. III. *Nature and principles of religion.*

The nature and principles of religion also, or what it recommends or forbids, are, in some instances, considerably influenced by the climate. Thus indolence is made an article of religion among the disciples of * Foe, the Indian legislator; and the like principle

† Herodotus, lib. iv.

|| Deorum maxime Mercurium colunt: cui certis diebus humanis quoque hostiis litare fas habent. Herculem & Martem concessis animalibus placant. — Germania.

§ Ammianus Marcellin. lib. xxxi. cap. 3.

† Plato says, that they are guilty of impiety towards the gods, who maintain that they do not interfere with the affairs of men.—De Legibus, lib. x.

* The number of holidays commanded by the religion of the Gentoos, engrosses at least one third part of their time.—Letters from the East Indies.

principle seems to prevail in a great degree among the Mahomedans ||. The same disposition, also, is the source of monachism, which prevails, in several persuasions, and of which I shall speak hereafter. The doctrine of predestination also, which is prevalent among the Mahomedans, is probably a consequence of the indolent disposition inspired by the climate, which it reciprocally favours. Human affairs, they say, are guided by the unalterable decrees of God; therefore they may indulge their repose. Many laws of religion also, which appear to be of the local kind, have their foundation in the climate. Thus the prohibition of pork to the Jews and Mahomedans, is probably a law derived from this source.

The hog is scarce in Arabia and Palestine, from there being hardly any woods, and of consequence no proper nourishment for these animals, which never arrive at perfection, and are generally in a diseased state. Besides, there is reason to believe, that pork not only * perspires little itself, but also hinders the perspiration of other meat, a thing of great consequence in hot climates, especially such wherein cutaneous † diseases are prevalent. The prohibition, therefore, of the feeding upon this animal, was not unreasonably made a precept of religion among the Jews and Arabs.

In the East Indies, cattle are reared with difficulty; and their

Foe endeavoured to reduce the heart to a mere vacuum. We have eyes and ears, said he; but perfection consists in neither seeing nor hearing: a mouth, hands, &c.; but perfection requires that these members should be inactive.

|| The Mahomedans pray five times a day, and each time are obliged to cast behind them every thing which has any concern with the present world. This forms them for speculation. Add to this, that indifference for all things, inspired by the doctrine of unalterable fate.

* Sancto. Aphorism. Stat. § iii. aphor. 23.

† Cutaneous diseases, the leprosy particularly, were very frequent in Arabia and Palestine.

T

flesh

flesh is insipid. The milk and butter †, however, which they produce, is extremely useful, and serves as a part of the support of the inhabitants. A religious precept, therefore, which forbids the killing them, is suited to the climate and policy of the country. In the Indies, our European grain will not come to perfection; but rice, and several sorts of pulse, in certain situations, thrive exceedingly. A law of religion, therefore, which recommends this kind of nourishment, must be highly beneficial, in directing the application of industry to the cultivation of what is likely to be most universally useful. This precept is of more consequence in India, as the climate favours indolence so much, that they cannot allow for the least misapplication or waste of industry.

Probably too, the opinion of the Metempsychosis, or transmigration of souls, was introduced to prevent the destruction of cattle; to which it is admirably well adapted.

The prohibition of wine also, among the Arabians *, which was an ancient precept of the † Saracens and Carthaginians, is a law also of the climate. Strong liquors, in such a country, would produce infinite mischief, by heating the body, and by producing inflammatory and other disorders; and are moreover unfit for dilution of the animal fluids, which they have rather a ten-

† Butter and milk were great delicacies in the eastern countries. "Butter and honey shall he eat."—Isaiah vii. 14.—"A land flowing with milk and honey."—Joshua, v. 6.—"Jupiter was nursed with milk and honey."—Callimachi, Hymn in Jov. xlviii.—Homer says, that the orphan daughters of Pandareus, were nursed with wine, honey, and milk.—Odys. xx. 68.

* The Arabs drink water at present.—Vide a Journey up the Red-sea, by Eyles Irwin, Esq.

† "Idem tumultuantibus iis qui a Saracenis victi fuerant & dicentibus vinum non accepimus pugnare non possumus."—"Erubescite, inquit; illi qui vos vincunt aquam bibunt."—Spartiani Percennius Niger.

Saraceni vini usum penitus ignorantes.—Amm. Marc. l. xiv. c. 5.—Appian also, in his History of the Punic War, repeatedly mentions, that the Numidians drank no wine.

dency to coagulate. The quantity also, in which drink is || required to be taken in such climates, would render strong liquors, at any rate, very improper. Add to this, that the effects of intoxication, in hot climates, are very dreadful: as it makes people outrageously mad, and not stupidly heavy, as in cold countries.

Some religious austerities appear to have an intimate connection with a warm climate. One of these is the abstinence from animal food, which is so frequently enjoined by the Romish religion; and which is uniformly adhered to by some of the more rigid orders of the monastic kind, as that of Latrappè in France; and, I believe, some others. But in a situation so far removed from the extremes of heat, such a precept is found to be highly injurious, as well as unnatural, few of these devotees surviving long this severity of regimen. In consequence of this effect, it is said, that they moderated their rigour, and allowed in some measure the use of animal diet. But in the East Indies, where the heat is excessive, such a regimen is not found to produce similar effects, although observed with equal strictness by many extensive and populous nations. Hence it appears, that such a diet is more consonant to nature in a hot climate than a cold; and that such precepts may be there more safely practised.

So far on the effects of a hot climate upon the nature and precepts of religion. Let us now examine the effects of an opposite temperature.

And here I take it that the doctrine of Predestination, which prevails in hot climates, and is inspired, as I have before observed, by that circumstance, is produced, likewise, by the climate in cold countries. This principle, which in the former is suggested by indolence, and made an excuse for it, is here suggested by, and made an ex-

|| Mr. Bernier, travelling from Lahor to Cachemir, mentions, that he could not drink less than ten pints a day.—Tom. ii. p. 261.

cuse for, insensibility. Incapable of tracing the motives of action from the feelings of the heart, or suggestions of the understanding; or of considering the natural course of events; they attribute them to a more obvious and universal cause, the * predetermination of the Almighty. This supplies the want of reasoning and philosophy, and affords a motive sufficiently powerful to influence their conduct.

The principles of religion, in moderate climates, have been, in general, from the greater cultivation of science and literature, more liberal and enlarged, and more connected with philosophy, than in either of the extremes. They have, however, been subject to great fluctuation; sometimes rising to a great degree of bigotry and superstition, and at others sinking into atheism and disbelief of all religion whatever.

S E C T. IV. *Forms, ceremonies, and institutions.*

The influence of climate on the forms, ceremonies, and institutions of religion, is next to be considered.

Religious † forms and ceremonies have always been very numerous in hot climates. Thus the Mahommedans and Gentoos consume a large portion of their time in prayers; and the frequent devotions enjoined among the Romanists, are well known.

The prayers, too, of these people are not only very frequent, but are also attended with much pomp and ceremony.

They are also all of a stated or fixed kind, with set forms of prayer adapted for each, and a peculiar regulation for each ceremonial. It is easy to account for all these particularities, from the disposition

* This notion is adopted among some Christians, as in Russia; and is also a doctrine of the Calvinists.

† Herodotus and Diodorus Siculus say, that religious festivals and ceremonies were invented by the Egyptians.—Herodot. book ii.—Diodori, l. ii.

of the people, and the circumstances of the climate. The idleness incident to heat, is much favoured by this mode of spending time, which provides an excuse for indolence, under the idea of duty. Hot climates are likewise better suited to an idle religion, as the necessaries of life are procured with less labour. Hence, in such countries †, festivals, or days of rest, are very numerous.

The magnificence also, and parade of religious worship, not only afford an idle employment for the people, but are suited to the genius of the inhabitants, which is always struck with visible objects, as I have before remarked.

Such ceremonies, moreover, flatter the pride and vanity of the people; passions extremely prevalent in these climates.

Liturgies and set forms of prayer also, as I have before observed, are more conformable to the genius of hot climates, than extemporaneous effusions of the mind in our addresses to the Deity. This is owing in some degree to the form and ceremony with which they are attended: and partly to the form of government, which being absolute or monarchical, is more suited to fixed rules and customs, than to the indulgence of the freedom of thought and choice in such addresses; which would probably, if left at liberty, be apt to produce sentiments and opinions contrary to the nature of the government. Set forms of prayer are also more adapted to the indolent turn of hot climates, which is as strong with respect to the action of the mind, as to that of the body. Consequently, a form of prayer, which supplies the necessity of thought and recollection, and thereby saves trouble, must, to a people of this disposition, be extremely acceptable.

The great degree of ignorance, likewise, in which such people live, has, indeed, rendered something of this kind absolutely necessary. — But although ceremonies and religious rites are, in

† Festivals are very numerous among the barbarous nations on the coast of Africa.

general, adapted to the disposition of hot countries, there are some that are more particularly and obviously connected with the nature of the climate. Of this kind are the frequent bathings * and ablutions directed in the Jewish, Mahomedan, and Indian religions. In the last of these, prayers to the Almighty, offered in a running stream, were accounted highly acceptable; a thing which could not be performed in a cold climate, especially as prayers were frequently repeated.

Several other ceremonials in the Jewish law, particularly those which respect the leprosy, may be considered as of a local nature, and dictated by the climate. The effect of climate upon religious institutions is also very observable: of these the most remarkable is Monachism, or the establishment of societies of people sequestered from the company and concerns of mankind, like the monks in the Romish sect of Christianity, and the devotees of a similar kind that are found in the East.

This institution had its rise in the last-mentioned country. In Asia, the number of dervises seems to increase with the heat of the climate. The Indies, where the heat is excessive, are full of them: and the same difference is found in Europe. The cause of this disposition is not difficult to be traced; and indeed, in several respects †, springs from some of the best principles in our nature. In a climate where the heat is great, the active virtues, at least such as are accompanied with any considerable exertion of either mind or body, can have but little place, for the reasons be-

* The Greeks, as well as the Jews, imagined that water, particularly that of fresh or living springs, could cleanse the mind, as well as body, from pollution. Sophocles expresses this sentiment in the *Oedipus Tyrannus*.

—— “ Not the wide Danube’s waves,
Nor Phasis’ stream, can wash away the stains
Of this polluted palace.” Act v. Scene 1.

† Vide Mrs. Barbauld’s elegant Essay on this subject.

fore given. But those of the † passive kind, and what are chiefly held in estimation by such religious orders, are in the power of every one, and afford a field for the display of virtue in self-denial and forbearance, or, as Milton || calls it, “the better fortitude of patience,” not less meritorious, or worthy admiration, than the more active ones of exertion and industry. A life of this kind, therefore, may be looked upon as a scene of improvement, and as a stage for the exhibition of those qualities in which the climate permitted them to excel.

This kind of life is extremely well adapted to flatter the sensibility which heat so naturally inspires. This disposition is, I believe, always addicted to * retirement and leisure, from its natural tendency to reflection and contemplation.

A situation, therefore, of the monastic kind, is highly suitable to such an indulgence.

But the chief cause of these institutions is derived from the indolence to which the climate so greatly leads; and they, in their turn, promote the disposition that produced them. These people being possessed of revenues they know not how to enjoy, give them to the poor, and thus maintain a great number in idleness, and even make them to grow fond of their misery, by such indulgence.

Another circumstance favourable to these institutions, in hot climates, is derived from the nature of the government. They have served to temper the violence and rigour of arbitrary power, both by affording a kind of asylum against personal injustice, and by giving

† “The ancient philosophers of Greece, had their absurd and ostentatious austerities and mortifications, as well as the monks and Indian philosophers since.”—Note on Epictetus, book iii. ch. 12. by Miss Carter.

|| Paradise Lost, book ix. line 28.

* Most of our greatest poets have described a retired life as the object of their wishes and desires. This is instanced in Virgil, Horace, Tibullus, Milton, Pope, Hammond, Gray, Cowley, and many others. It seems, therefore, a natural object to a person of a great degree of sensibility.

Vide Rambler on this subject, vol. i. p. 33.

an opportunity for the laying out of property, not subject to the tyrannical disposition of the sovereign.

Under this head I shall speak a few words concerning ecclesiastical government, which, in hot climates, as well as the civil, is mostly of the * monarchical kind. This is owing, in a great measure, to the same causes which produced a similar form of government in the state; and also, I imagine, to the attachment of the people of those climates to sensible || objects, which, among Christians, induced them to wish to see a visible head of the church here present upon earth, rather than the allegorical and invisible kingdom of Christ, or the mixed government of a republican ecclesiastical state.

The disposition of cold climates does not appear to favour pomp and ceremony in religion. Cæsar † says of the ancient Germans, that, contrary to the practice of their southern neighbours, the Gauls, they paid little regard to religious ceremonies, or even to sacrifices; and the account given by ‡ Tacitus seems to intimate a great simplicity of worship.

The same effects may be observed in Christianity. Whilst the

* The emperor of China, the sophi of Persia, and the grand signior, are all of them at the head of the ecclesiastical, as well as of the civil, state.

|| This attachment of the people of hot climates, to sensible objects, is strongly exemplified in their ideas concerning the materiality of the soul. No opinion, says La Loubiere, has been so universally received, as that of the immortality of the soul; but its immateriality is a truth, the knowledge of which, has not spread so far. And, indeed, it is extremely difficult to let into the mind of a Siamite, the idea of a pure spirit. This the missionaries, who have been longest among them, are positive in. All the Pagans of the East do truly believe that there remains something of a man after his death, which subsists independently and separately from his body. But they give extension and figure to that which remains, and attribute to it all the same members, all the same substance, both solid and liquid, of which our bodies are composed.

† Cæsar Comment, lib. vi.

‡ Taciti Germania.

southern inhabitants of Europe constituted ceremonies calculated to strike the senses by their magnificence, and to attach their followers, by continually reminding them of their duty; and had erected a visible head of the church in the person of the Pope, and even a visible object of adoration in the mass; the devotion of the northern nations took a turn directly opposite, rejecting all religious ceremonies and forms of prayer as useless burthens, retarding the imagination in its rapturous extasies, and cramping the operations of the divine Spirit, by which they believed themselves animated. For these reasons they established, in place of the former, a new mode of worship, which borrowed nothing from the senses, but reposed itself entirely on the contemplation of the divine essence, which discovers itself to the understanding ‡ only.

The cause of this variation is deducible from the difference of disposition. In cold climates, people are not so immediately affected as in hot ones, but liable to dwell longer upon the objects, and to make them a subject of reflection. Consequently the nature and reasons of all proceedings are liable to be thoroughly considered, and the reasons for, and the objections against them examined. This gives rise to a great variety of opinions, which are, indeed, natural to a free country, and generally terminate in the rejection, or at least the not insisting on, that, against which most exceptions are advanced. In order, therefore, to satisfy as many as possible, several sects of Christianity have abolished all ceremonies and rites whatsoever, and left to every individual the free choice of worshipping the Deity in any manner he chuses. This was the case in Holland, and in a great measure in Germany, and in some degree, and for a short time, in England.

Some exceptions, however, are to be found. Thus Sweden embraced Lutheranism at the Reformation, which contains a form of worship attended with many ceremonies; and the Russians, who

‡ Hume's Hist. of England, reign of James I.

inhabit a climate still more severe, profess a mode of religion encumbered with numerous and fatiguing rites and ceremonials. But in the former of these instances, the revolution in religion was not made altogether according to the disposition of the people, but modified pursuant to the plan of political government. Sweden being at that time a monarchical state, it was natural for the ruling powers to chuse such a mode of religion as favoured that form of the constitution.

With respect to the establishment of the Greek religion in Russia, we may observe, first, that this form was not invented in that country, but derived from a warm climate, and consequently their use of it may be considered rather as an article of compliance than choice, at least originally.

Next, that whilst this mode of worship was most prevalent, the people were in a state little removed from barbarism, in which superstition is generally very powerful; but since the introduction of learning into that country, many of the absurdities of the Greek religion have been reformed, and the whole brought nearer to the standard of their northern neighbours.

Lastly, a form of religion of such a kind was very consonant to the form of government then established in the state.

Festivals also, and such ceremonies as promote idleness, are less common in cold climates, on account of the necessity of labour, not only as a preservative from cold, but also for the procuring of subsistence. This is a powerful reason against the introduction of any religion fraught with such tenets. For the same reason, religious institutions of the monastic kind do not appear to be suited to the genius of cold climates. There are, indeed, some of this kind in Russia; but they were imported along with the Greek religion, and are at present rather on the decline.

Church-government, in countries where the cold is intense, as

|| This, perhaps, is no inconsiderable cause why Protestant countries are better cultivated, and more improved, than those of the Romish persuasion.

in

in Russia, appears to be of the absolute kind, and mostly vested in the prince, nearly in the same manner with the civil; but where the cold is less violent, a republican disposition takes place in the ecclesiastical, as well as in the civil, power. Thus the church-government of Sweden and Denmark was formerly by deputies chosen by themselves, from their own body, who also formed a branch of the civil constitution; and the like is the case in Germany, and in some measure in Scotland. Something of the same disposition may be observed in the account given by * Cæsar of our German ancestors, who describes the Gauls * as living under a kind of druidical hierarchy; but the † Germans, says he, differ greatly, having no Druids to preside in their religious ceremonies. Moderate climates, of which our own may be reckoned as an instance, have taken a middle course as to the articles above-mentioned. Though averse to that profusion of pomp and ceremony that encumbers religion in warm climates, they have not altogether discarded it, but have admitted such a proportion as might serve to preserve order and decency, and to keep up a proper respect and attachment to religion. Probably it was on account of a disposition of this kind, that the Reformation was conducted with a greater degree of moderation in England, than in Scotland, many parts of Germany, and the North. The former aimed at a reformation and amendment of what was exceptionable; the latter struck at the root of all established form whatever. The views of the latter, therefore, being more extensive, the violence with which they acted was greater, as their opposition was more direct.

It must, indeed, be acknowledged, that the fooleries of superstition have prevailed to a great degree, at times, both in cold and in moderate climates; but the prevalence of ignorance and darkness at such periods, (circumstances always favourable to such impositions) have, in these instances, counteracted the natural disposition, and

* Lib. vi. cap. 8.

† Lib. vi. cap. 10.

produced an effect totally different from that to which the climate would naturally lead. It is likewise observable, that revolutions and changes in religious forms and ceremonies, have been much more frequent in moderate climates, than in either hot or cold. This is owing to the same causes that have been already mentioned, as influencing the manners, customs, and form of government.

Religious foundations or societies, particularly of the nature of those above described, are in little use in moderate climates, whose genius is averse to such indolent and useless institutions.

Church-government appears, I think, to be rather on the model of monarchy in general, though this varies greatly in different countries. In those, however, of the Reformed kind, it is now acknowledged to be no more than a civil institution, and subject to such alterations as may be deemed proper, by the authority of the state.

This union of the civil with the ecclesiastical power, has contributed more, perhaps, to promote the peace of government, and to advance the true interests of religion, than any other circumstance; notwithstanding which, it was the constant endeavour of the Romish church, for many centuries, and indeed is still, to separate them as much as possible. In spite, however, of these efforts, many of the countries which still profess that religion, have so far broken their chains, as to disallow any authority in their dominions, exclusive or independent of that of the state.

S E C T. V. *Rewards and Punishments.*

The effects of climate are very discernible in the rewards and punishments proposed by religion for obedience or disobedience to its precepts. Thus the promise of a land abounding with milk and honey, was a reward properly adapted to a hot climate, and especially to the Israelites, who had been accustomed to live in a country where the former of these was particularly esteemed, as in Egypt.

‡ Egypt. The Mahommedan paradise also, where indolence, and luxurious indulgence in || amorous enjoyment, are promised as the rewards of the faithful in a future life, is suited to the ideas of pleasure in that country, and dictated from them. The doctrine of Foe, the Indian legislator, went still farther, as he placed his rewards in a future life, in the enjoyment of indolence alone. Their opinions of future punishments are also full of similar ideas. They think that the unbelievers shall serve the faithful in another world in a laborious capacity, as carrying burdens, &c. that being one of the greatest punishments in hot climates, where indolence is esteemed the supreme pleasure.

Far different were the opinions of the religious founders of the North. Zamolxis * the Scythian, and our Saxon Odin, laid their chief scene of pleasure, in a future life, in active † military em-

‡ The Egyptians worshipped cows, which was, probably, a political precept, in order to preserve them, on account of the use of milk in that climate.

|| Tibullus, when his subject led him to describe the pleasures of love, paints an elysium so nearly resembling the Mahommedan Paradise, that some have thought the idea of the latter was borrowed from thence.

Sed me quod facilis tenero sum semper amori,
 Ipsa Venus campos ducet in Elysios.
 Hic choreæ cantusque vigent; passimque vagantes
 Dulce sonant tenui gutture carmen aves.
 Fert casiam non culta seges, totosque per agros
 Floret odoratis terra benigna rosis.
 Ad juvenum series teneris immista puellis
 Ludit; et assidue prælia miscet amor.

Lib. ii. Eleg. 33.

* Herodot. lib. iv.—Strabon. lib. vii.

† “Tell me,” says Ganglar in the Edda, “how do the heroes divert themselves when they are not drinking? Every day,” replies Har, “as soon as they have dressed themselves, they take their arms, and entering the lists, fight till they cut one another in pieces. This is their diversion. But no sooner does the hour of repast approach, than they remount their steeds, all safe and sound, and return to drink in the palace of Odin.”—Northern Antiquities, vol. ii. p. 108.—and Keyfler, Antiq. Select. Septentrional. et Celt. p. 127.

ployments,

ployments, and the joys of wine and company. Museus brought nearly the same doctrines from Thrace into Greece.

The same notions attended their idea of a place of punishment. In climates where they are exposed to inconvenience from excess of heat, the increase of it has been suggested as the mode of future punishment. Thus Homer speaks of the Titans being chained on burning rocks; which was also the general opinion of future punishment in hot climates. But in cold ones, the contrary ideas prevailed. The hell or Tartarus there, was a place dark and cloudy, destitute of food, and, above all, † extremely *cold*, which was esteemed the most terrible circumstance of any, and from which the place derived its name and character. They gave it the name of *Ifurin*, that is, the Isle of the Cold Land or Climate; and in the Gallic language, this is still the name for || hell. The Scythians had the same idea.

† Smith's Gallic Antiquit. p. 22.

|| Milton and Shakespear have each of them united both these ideas, in describing the torments of the wicked in another life.

“ Ay, but to die, and go we know not whither:
 “ To lie in cold obstruction, and to rot;
 “ This sensible warm motion to become
 “ A kneaded clod; and the delighted spirit
 “ To bathe in fiery floods, or to reside
 “ In thrilling regions of thick-ribbed ice.”

Measure for Measure, Act III.

Milton has, however, improved upon this thought, by supposing the extremes to be alternate.

“ Thither, by harpy-footed furies hal'd,
 “ At certain revolutions all the damn'd
 “ Are brought, and feel by turns the bitter change
 “ Of fierce extremes, extremes by change more fierce,
 “ From beds of raging fire to starve in ice
 “ Their soft aerial warmth, and there to pine
 “ Immoveable, infix'd, and frozen round,
 “ Periods of time, thence hurried back to fire,”

Parad. Lost, book ii.

Moderate climates have attributed more rational and manly enjoyments, as the rewards of good actions, consisting of such pleasures as form the most approved pursuits here upon earth, and of a mixed kind, consisting partly in * military exercises, partly in mental

* Pars in gramineis exercent membra palæstris ;
 Contendunt ludo et fulva luctantur arena :
 Pars pedibus plaudunt choreas et carmina dicunt.
 Nec non Threicius longâ cum veste sacerdos
 Obloquitur numeris septem discrimina vocum.
 Jamque eadem digitis, jam pectine pulsat eburno.
 Virgil, lib. vi. l. 642, et deinceps.

At Pater Anchises penitus convalle virenti
 Inclusas animas, superumque ad lumen ituras,
 Lustrabat studio recolens, omnemque suorum
 Forte recensabat numerum, carosque nepotes,
 Fataque, fortunasque virum, moresque, manusque.
 Ibidem, lin. 679, et deinceps.

Milton has given a similar description of the employment of the fallen spirits in hell.

Part on the plain, or in the air sublime
 Upon the wing, or in swift race contend,
 As at the Olympian games or Pythian fields ;
 Part curb their fiery steeds, or shun the goal
 With rapid wheels, or fronted brigades form.
 ——— Others, more mild,
 Retreated in a silent valley, sing
 With notes angelical to many a harp,
 Their own heroic deeds, and hapless fall
 By doom of battle, and complain that fate
 Free virtue should enthrall to force or chance.
 Their song was partial, but the harmony,
 (What could it less when spirits immortal sing ?)
 Suspended hell, and took with ravishment
 The thronging audience. In discourse more sweet
 (For eloquence the soul, song charms the sense)
 Others apart sat on a hill retir'd,

mental researches, and partly in the pleasures of music; employments far superior in dignity to those assigned in either of the other extremes of temperature.

We may observe, in general, that the rewards promised by religion, in both hot and cold climates, have been of the sensual kind, according to the different kinds of pleasure that prevailed in each; and in moderate ones, more of an intellectual nature.

S E C T. VI. *Means of propagation of religion.*

The means by which religion has been propagated, have varied much in different climates.

In general, I think it may be observed, that a persecuting spirit in religious matters has prevailed in warm climates ||.

Nebuchadnezzar *, the king of Babylon, set up a golden image in the plain of Dura, to which he required all *people, nations, and languages*, to pay divine worship, under the penalty of being cast into a fiery furnace. The prophet † Daniel was thrown into the den of lions for *privately* offering his devotions to the Almighty in his own house, contrary to the royal order, which enacted, that no prayer should be offered to any but the king, for a certain period.

Cambyfes ‡ flew the god Apis with his own hands, and ordered the priests to be whipt, and all the people to be put to death, whom

In thoughts more elevate, and reason'd high
Of providence, foreknowledge, will, and fate,
Fix'd fate, free-will, foreknowledge absolute,
And found no end, in wandering mazes lost."

Parad. Lost, book ii.

An inhabitant of the East would think these employments penances rather than pleasures.—See also Mr. Montesquieu's Persian Letters, Letter cxxv.

|| Gibbon's History of the Roman Empire, p. 208.

* Daniel, chap. iii.

† Ibidem, ch. vi.

‡ Herodoti, lib. iii.

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he found rejoicing on the occasion. The Egyptians, in their turn, were no less intolerant; any * person who voluntarily killed an ichneumon, a dog, a hawk, a wolf, or a crocodile, was condemned to death without mercy; and even the involuntary or accidental killing a cat or an ibis, was attended with the same punishment, and inflicted in the most cruel manner: to which last, Diodorus Siculus says, he himself was an eye-witness.

The † Ombi and the Tentyritæ, Egyptian nations, were irreconcilable enemies to each other, on account of the regard had by the former, and the aversion of the latter, to crocodiles; on which occasion many bloody battles were fought. Xerxes ‡, invading Greece, destroyed the altars and the temples in Greece and Ionia, that of Ephesus alone excepted.

Even the Greeks and Romans, whose climate was more moderate, betrayed several marks of an intolerant spirit.

The Athenians prohibited the introduction of foreign deities, or of innovations in religion; and in consequence of this law Socrates was impeached, and put to death. Theodorus || Cyrenaicus suffered the same fate. Aristotle quitted his country on an accusation

* Diodor. Sicul. lib. i.

† Inter finitimos vetus, atque antiqua simulas,
Immortale odium, et nunquam sanabile vulnus
Ardet adhuc, Ombos et Tentyra. Summus utrique
Inde furor vulgo, quod numina vicinorum
Odit uterque locus, quum *solos* credat habendos
Esse Deos quos ipse colit. Juvenal. Satyr. xv.

‡ Pausanias, lib. viii. et x. Strabon. lib. xiv.—Patrum delubra esse in urbibus censeo, nec sequor Magos Persarum, quibus authoribus Xerxes inflammasse templa Græciæ dicitur, quod parietibus includerent Deos, quibus omnia deberent esse patientia et libera.—Cicero de Legibus, lib. ii. § 42.

|| Athenæi, lib. xiii.—et Diogenes Laert.

Theotimus was also put to death for writing against Epicurus.—Ibidem Athenæi.

mental researches, and partly in the pleasures of music; employments far superior in dignity to those assigned in either of the other extremes of temperature.

We may observe, in general, that the rewards promised by religion, in both hot and cold climates, have been of the sensual kind, according to the different kinds of pleasure that prevailed in each; and in moderate ones, more of an intellectual nature.

S E C T. VI. *Means of propagation of religion.*

The means by which religion has been propagated, have varied much in different climates.

In general, I think it may be observed, that a persecuting spirit in religious matters has prevailed in warm climates ||.

Nebuchadnezzar *, the king of Babylon, set up a golden image in the plain of Dura, to which he required all *people, nations, and languages*, to pay divine worship, under the penalty of being cast into a fiery furnace. The prophet † Daniel was thrown into the den of lions for *privately* offering his devotions to the Almighty in his own house, contrary to the royal order, which enacted, that no prayer should be offered to any but the king, for a certain period.

Cambyfes ‡ slew the god Apis with his own hands, and ordered the priests to be whipt, and all the people to be put to death, whom

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of a similar nature; Stilpo was banished; and * Diagoras proscribed.

St. Paul also appears to have been accused on the same ground, at † Athens, as being a setter forth of strange or foreign deities, and at ‡ Corinth, of persuading men to worship God in a manner different from that prescribed by the law.

The Roman laws were not less rigid in these respects; one of the most ancient of them prohibited the worship of any foreign || deity except Faunus, and some others forbade even ** *private* devotions to any deities not publicly acknowledged by the state.

Disobedience to the †† augurs, in respect to their directions about religious tenets, was also by the same laws a capital crime.

This attention of the Romans to prevent the inroad of new superstitions, was conspicuous in almost every period of their history. At an early age, the principal people of the state affected to be scandalized at the introduction of new †† superstitions; in consequence of which, a strict law was made to prevent any other gods than the Roman ones being worshipped, or any other form of worship being used.

* Ibidem Athenæi—et Diodor. Sicul. lib. xiii. p. 343, edit. Rhodomann.

† Acts of Apostles, ch. xvii.

‡ Ibidem, ch. xviii.

|| Deos peregrinos præter Faunum ne colunto.—Ex veteri tabula a Balduino descripta.

** Separatim nemo habebat deos.

Neve novos, sed ne advenas nisi publice adscitos *privatim* colunto.

Divos, et eos qui cœlestes semper habiti, colunto.—Cicero de Legibus, lib. ii.

†† Quique non paruerit capitale esto.—Ibidem.

‡‡ Nec corpora modo affecta tabo, sed animos quoque multiplex religio, et pleraque externa invasit; novos ritus sacrificando, vaticinando inferentibus in domos, quibus quæstui sunt capti superstitione animi: donec publicus jam pudor ad primores civitatis pervenit; cernentes in omnibus vicis sacellisque peregrina atque insolita piacula pacis Deorum exposcendæ. Datum inde negotium ædilibus ut animadvertent, ne qui, nisi Romani Dii, neu quo alio more quam patrio, colerentur.—Livii lib. iv. § 30.

At a subsequent period, the like sentiments are repeated in terms still more * cogent and expressive; and at one still † later, the same advice is delivered in words that admit of no doubt as to their meaning. The emperors preserved the same ideas with respect to uniformity in religion ‡. Tiberius || abolished the worship of the

* Ne quis etiam errore labatur vestrum quoque non sum securus, nihil enim in speciem fallacius est quam prava religio. Ubi Deorum numen prætenditur sceleribus subit animum timor ne fraudibus humanis vindicandis divini juris aliquid immistum violemus. Hac vos religione innumerabilia decreta pontificum, senatus consulta, aruspicum denique responsa, liberant. Quoties hoc patrum avorumque ætate, negotium est magistratibus datum ut sacra externa fieri vetarent; sacrificulos vatesque foro, circo, urbe prohiberent; vaticinos libros conquirent comburerentque; omnem disciplinam sacrificandi præterquam more Romano abolerent? Judicabant enim prudentissimi viri omnis divini humanique juris nihil æque dissolvendæ religionis esse, quam ubi non patrio sed externo ritu sacrificaretur. Hæc vobis prædicenda ratus sum, ne qua superstitio agitare animos vestros, quum demolientes nos Bacchanalia discutientesque nefarios cætus cerneretis. Omnia Diis propitiis volentibusque ea faciemus; qui, quia suum numen sceleribus libidinibusque contaminari indigne ferebant ex occultis ea tenebris in lucem extraxerunt; nec patefieri ut impunita essent, sed ut vindicarentur et opprimerentur voluerunt. Senatus quæstionem extra ordinem de ea re mihi collegæque meo mandavit: nos quæ ipsis nobis agenda sunt impigre exsequemur.—Livii lib. xxxix. § 16.

† Worship the Gods, says Mæcenas to Augustus, at all times, and in all places, according to the customs of your country, and compel others to honour them. Hate and punish those who make innovations in this article, not only on account of the Gods—as he who despises them can have no regard for any thing—but because they who introduce new deities intice many to the following of new laws, &c.—Dion Cassius, lib. lii.

‡ Actum et de sacris Ægyptiis Judaicisque pellendis: factumque patrum consultum ut quatuor millia libertini generis ea superstitione infecta quibus idonea ætas in insulam Sardiniam veherentur, coercendis illic latrociniiis; et si ob gravitatem cœli interiiissent *vile damnum*. Cæteri cederent Italiâ nisi certam ante diem profanos ritus exuissent.—Taciti Annal. l. ii. § 85.

Externas ceremonias, Ægyptios Judaicosque ritus compescuit: coactis qui superstitione ea tenebantur religiosas vestes cum instrumento omni comburere. Judæorum juventutem per speciem sacramenti in provincias gravioris cœli distribuit; reliquos gentis ejusdem vel similia sectantes, urbe submovit, sub poenâ perpetuæ servitutis nisi obtemperassent.—Sueton. in Tiberio, cap. xxxvi.

|| Plinii Hist. Nat. lib. xxx. cap. 1.—Sueton. l. v.

Druids in Gaul, and forbid all foreign rites and ceremonies, especially the Egyptian and Jewish, and punished very severely those who practised them. Nero put many persons * to death, who were guilty of no other crime than confessing their being of the Christian persuasion; and † Domitian not only laid heavy impositions on the Jews, but compelled those to pay them, who, although they did not profess that religion, lived in that manner. The same ‡ emperor put to death his cousin, Fabius Clemens, and banished his wife, Flavia Domitilla, a relation of Domitian's, for their adherence to the Jewish, or perhaps the Christian, religion; on which account many others were condemned, and a part deprived of their lives, and the remainder of them of their estates. Even the younger Pliny put many to || death and torture, merely, as he says, for persisting in an erroneous and immoderate superstition; which indeed consisted in no more than meeting before light, on a certain day, to sing a hymn to Christ as a Deity, and to bind themselves by an ** oath to be guilty of no crime; to commit neither theft, robbery, nor adultery; to keep their faith; and to acknowledge the receipt of whatever had been entrusted to their care: this, with their meeting at meal-times—which meetings, however, were perfectly innocent—was the sum of the crimes laid

* Tacit. lib. xv. cap. 44.

† Sueton. lib. vii. cap. 12.—Suetonius says, he himself was present when a man of ninety years old was very rudely treated on this account.

‡ Dion. Cass. Epitome, lib. lxxvii.

|| Quo magis necessarium credidi ex duabus ancillis, quæ ministræ dicebantur, quid esset veri *et per tormenta* quærere; sed nihil aliud inveni quam superstitionem pravam et immodicam, ideoque dilata cognitione ad consulendum te decurri.

** Affirmabant autem hanc fuisse summam vel culpæ suæ, vel erroris, quod essent soliti statò die ante lucem convenire, carmenque Christo quasi Deo dicere secum invicem; seque sacramento non in scelus aliquod obstringere, sed ne furta, ne latrocinia, ne adulteria committerent, ne fidem fallerent, ne depositum appellati abnegarent; quibus peractis morem sibi discedendi fuisse, rursusque coeundi ad capiendum cibum; promiscuum tamen et *innocuum*.—Plinii Ep. lib. x. ep. 97.

to their charge; yet for these they were exposed to torture and to death. Numberless other instances of their intolerant spirit might be adduced; but they are, I trust, unnecessary.

In later times, Mahommedanism was propagated, not by reason, but by arms; nor did Mahommed, or his followers, employ any argument to overthrow the religions which they opposed. This religion still speaks to mankind with the same destructive spirit with which it was founded.

Christianity, also, has been grievously disgraced by a still more exceptionable conduct in some of its professors, who have converted the mild and benign invitation of the Almighty to truth and happiness, into a pretence for the exercise of the most odious cruelty that ever dishonoured human nature.

The northern nations, on the other hand, shewed but little disposition to religious persecution. Neither the Scythians, described by Herodotus, the Germans by Tacitus, nor the Hunns and Alans by Ammianus Marcellinus, seem to have laid any great stress on the conformity of others to their religious opinion; nor are any marks of a persecuting disposition to be found in the Edda, or religious code of the Runic mythology. No force or violence was, I believe, ever offered in Russia on account of religion. It must, indeed, be confessed, that practical persecution has been sometimes exercised in cold climates; but it was, I apprehend, always contrary to the spirit of the people, and only supported by force and superstition in the prince.

This difference of conduct between the northern and southern parts of Europe, will be found consonant to their dispositions, and other circumstances belonging to them, before described.

The sensibility being less in cold climates than in hot, the passions are not so warm, nor their resentment at opposition so violent.

Next, religion, in the latter, is more a matter of reason than of sentiment;.

sentiment; and therefore all ideas of * revenging the cause of the Deity are laid aside, and offences against religion considered only as they affect the peace of society; consequently, they are but few in number, and those lightly censured.

Next, this religion, being more of the intellectual kind, is less connected with objects of sense †; which last circumstance has a great effect in engaging the mind and passions in support of what is united with it, and is one great cause of the religious zeal of hot climates.

Another reason, I apprehend, is the active spirit of enquiry which is natural to such climates and situations. This is notably instanced in Christianity. When the Christian religion came to be made a subject of ratiocination, as among the Protestants, various opinions presently arose concerning the meaning of several passages in the scriptures. As no one pretended to an infallible guide, like the members of the church of Rome, no one could pretend to any certainty, farther than as reason or argument supported him; consequently, these were then introduced, as the proper and only justifiable means of conviction. Moreover, as the several sects of Reformers claimed each of them a degree of general divine inspiration, which operated in a different manner upon each individual, they were, by a natural train of thinking, induced to permit in others the same variations in which they indulged themselves. This turn for enquiry, although it be in some respects favourable to religion, is in others injurious. Besides introducing a great variety of sects and opinions—which are of themselves perhaps rather favourable than prejudicial to the investigation of truth, by the arguments suggested by each—it has been the source of much

* Vide Spirit of Laws, Book xii. ch. 4.—and Voltaire's Comm. on Beccaria on Crimes and Punishments, Ch. iv. & v.

† Spirit of Laws, Book xxv. ch. 2.

infidelity,

infidelity, and illiberal, as well as impious, abuse of religion in general. This very abuse has, however, been productive of some good effects, in exciting the friends of Christianity to exert themselves in its defence; and accordingly it has been remarked, that England—where the Christian religion is attacked, probably, in a more public manner than in any other country in Europe—has produced the || best works in its defence that have appeared, especially in proving the consonancy of that system to reason.

Something of this kind appears to be now and then necessary, in order to excite the attention of those whose particular province and duty it is to watch over the concerns of religion, and prevent their abating their vigilance under the pretence of safety. It has been remarked of states, that they are never in greater hazard than when they are most confident of security; and the like is not less true of religion. Christianity was never so corrupt, both in theory and practice, as when one sect of it only prevailed, and none durst impugn any of its doctrines.

The free disposition of the people of the North, has also been favourable to this mode of propagating religion by argument and enquiry; and the turn for these, suggested by religion, has been no small cause of the establishment and security of civil freedom. England, Holland, great part of Germany, and Swisserland, were roused to assert their civil rights, by having before asserted a freedom of choice and sentiment in religion; so that, in this case, the Reformation was a double blessing to mankind, not only in breaking the bonds of ignorance and superstition, but those also of tyranny and arbitrary power.

|| The clergy of England not being able to protect religion, nor to be protected by it, only seek to persuade. Their pens, therefore, furnish us with excellent works in proof of revelation, and of the providence of the Supreme Being.—*Spirit of Laws*.—*Angli profundæ speculationis sunt in Theologia morali*.—Hoffman.

C H A P. XXIII.

OF THE INFLUENCE OF THE PROPERTIES AND
QUALITIES OF THE AIR.

HITHERTO I have spoken of the air, considered with respect to its temperature. But the air may affect us by other means.

S E C T. I. *Effects of the weight of the air.*

The degree of pressure of the atmosphere upon the human body has not been exactly estimated, it having been computed from 31,000 and upwards, to upwards of 42,000 pounds weight. In the different states of the atmosphere this varies, from the smallest proportion possible, to upwards of one tenth of the whole quantity; such being the difference between its greatest and least pressure.

The effects of these variations are not ascertained. Some writers say, that a dense or heavy atmosphere encreases * the powers and strength of the body, and *e contra*. But these accounts are, I believe, more from theory than from observation; and the differences really found, under such circumstances, in any states of the atmosphere to which any nation or body of men are subject, are not productive of any very evident effects; and in the present enquiry may be safely neglected.

* Halleri Physiol. Lib. viii. § 3.—Gaub. Patholog. § 434.

S E C T. II. *Peculiar Impregnations.*

The air may also affect the human body by its own specific or peculiar qualities. The air, it is well known, is capable of uniting with a great variety of substances. Indeed it never appears in a perfectly pure state, but always with considerable admixture of other bodies. As, however, its degrees of purity are very different, I shall consider it first in the purest state in which it is usually found, and afterwards speak of the alterations produced in it, relative to its effects in the circumstances belonging to the present subject, by such impregnations as usually occur.

The purity of the air has always been thought to be favourable to health. An impure air, Galen remarks, is unfavourable to every age and situation in life. A pure air, therefore, was esteemed favourable to the functions of the mind, which are so intimately connected with those of the † body. But, independent of this consideration, every one must be satisfied from experience of the effect of a fresh and pure air upon the mental powers, and how much they are elevated and improved by it.

Our great poet, ‡ Milton, seems to have paid a particular regard to this circumstance, which he describes with great feeling and energy.

It

† *Experientia magistra quotidie docet aerem purum serenum & temperatum sanitati ac vitæ quam maxime esse accommodatum. — Hoffman de Aeris ad sanitatem usu.*

‡ As one who long in populous city pent,
Where houses thick and sewers annoy the air,
Forth issuing on a summer's morn to *breathe*
Among the pleasant villages and farms
Adjoin'd, from each thing met conceives delight.

Paradise Lost, Book ix.

Y

Where

It may therefore be concluded, that a pure air is favourable to the efforts of the intellectual powers, as well as to the health in general.

The peculiar impregnations which are liable to affect the air, are next to be mentioned.

One of these, the most simple, and indeed the most common of any, is *water*.

This may be contained in the air in two states; one in that of *solution*, and again in that of *diffusion*: and it is the latter of these that we denominate a moist atmosphere.

A moist air is less suited than a dry one to absorb the effluvia of bodies, particularly of the human body, as the perspiratory and pulmonary discharges. It also promotes the putrefaction of ani-

Where I, a prisoner chain'd, scarce freely draw
The air imprison'd also, close and damp,
Unwholesome draught: but here I feel amends,
The breath of Heaven fresh blowing, pure and sweet
With day-spring born; here leave me to respire.

Sampson Agonistes, ad Initium.

The same great poet makes it one of the punishments attendant on the expulsion from Paradise, "to breathe in other air less pure."

Milton, indeed, appears to have been particularly sensible of this effect of pure air upon the spirits.

———And of pure, now purer, air
Meets his approach, and to the heart inspires
Vernal delight and joy, able to drive
All sadness but despair.

Parad. Lost Book iv.

Dr. Priestley mentions, that he himself was sensible of a peculiar lightness and ease, after breathing artificial air of a high degree of purity. Diodorus Siculus, also, delivers it as his opinion, that pure air and pure water were circumstances favourable to arts and science.—Diodor. Descr. Indiæ.

Virgil makes a pure and fresh air one of the pleasures of Elysium.

Largior hic Campos Æther & lumine vestit Purpureo.—Æneid, Lib. vi.

mal

mal and vegetable substances. Hence may be derived, in some measure, the effects of a moist air on the mind and intellects.

The * found state of the mind, as well as the health of the body, is nearly connected with the freedom and regularity of perspiration; and the obstruction of this discharge is generally attended with low spirits. The obstruction, therefore, which a moist air gives to perspiration, is a presumption that it is unfavourable to the powers of the mind and understanding.

The ill effects, however, of a moist air, are much aggravated when the moisture is combined with † marsh effluvia. These are thought, by the most experienced philosophers, to possess certain sedative powers, which act upon the nervous system, diminish the energy of the brain, and debilitate the whole of the functions. When these accumulate to a certain degree, a fever, generally of the ‡ intermittent kind, is produced; which probably is no more, originally, than an effort of nature to counteract the debility, and,

* Posidonius thought, that a dry air was favourable to the understanding. — Strabo, Lib. ii.

† Cullen's Practice of Physic, § 46 and 82.

‡ The following passage from Shakespeare, is a true copy from nature, and shews how an ague may produce cowardice, even in Cæsar himself.

He had a fever when he was in Spain,
And when the fit was on him, I did mark
How he did shake: 'tis true, this god did shake;
His coward lips did from their colour fly;
And that same eye, whose bend doth awe the world,
Did lose its lustre: I did hear him groan;
Aye, and that tongue of his, that bade the Romans
Mark him, and write his speeches in their books,
Alas! it cried—"Give me some drink, Titinius,"
As a sick girl. Julius Cæsar, Act. I.

That a marsh effluvia has a tendency to produce intermittent fevers, vide Sir J. Pringle's Works—Cullen's Practice of Physic—Van Swieten's Commentaries, &c.

perhaps, to throw off that which would destroy her powers. This effort of nature, however, is exerted only when the contagious effluvia have been encreased in force to a certain degree. But at the times when it may not be sufficiently active, or accumulated in quantity sufficient to excite such an exertion, its effect is still not lost, but shews itself in its action upon the disposition and habit. Thus || Hippocrates says of the people, who live upon the banks of the river Phasis, which is a very marshy country, that they differ much from the rest of mankind, being of a large size and bulk, of a bloated habit and a pale fallow complexion, of a jaundiced cast, and with a hoarse voice. As to their mental qualities, they have a dislike for all labour and exertion of the faculties. The country of * Bœotia, in Greece, was formerly remarkable for the stupidity of the people, which was generally ascribed, and probably with reason, to the thickness and moisture of the air; and is, on that account, opposed by † Cicero to the clear dry air, and acute and lively genius, that prevailed at Athens. Perhaps this may be one cause of the apathy and insensibility of the North American Indians, who live in a country which, from

|| De Aeribus, Aquis, & Locis, § 38.

* Bœorum in crasso jurares aere natum.—Horatii Epistol. Lib. ii. l. 244.

The city of Haliartus in Greece, which was observed by Plutarch and Strabo to stand in a marshy situation, was remarkable for the dullness and stupidity of the inhabitants.—Vide a Fragment of Dicæarchus in Hudson's Geograph. Script. Minor.

Aristotle also observes, that marshy situations render the people heavy and stupid.—Problem. § xiii. quest. 11.

It was the opinion of Plato, in his Timæus, which sentiment is adopted and quoted by Galen, that moisture produced folly, and dryness understanding. — Galen de Animæ morum & corporei temperamenti mutua consecutione.

† Athenis tenue cælum, ex quo etiam acutiores putantur Attici; crassum Thebis, itaque pingues Thebani.—Cicero de Fato.

Athenæus observes, that a thick air tends to make the manners rude and uncivilised. Lib. xiv.

its

its uncultivated state, is over-run with † woods and marshes; and consequently the air must be replete with effluvia of this kind. If this supposition be true, it will in some measure account for the improvement of the genius of the people, from that of the country itself, by clearing and draining it of its superfluous ‖ moisture.

Another kind of effluvia, which is dispersed through the air, and in some parts forms a considerable impregnation of it, is the odour of plants. These, in this part of the world, are seldom very discernible in the country at large; but are in some places very powerful. Thus, in the Molucca islands, and in that of * Ceylon, the odour of the spice-trees is so strong, as to be distinctly perceived at the distance of several miles from the shore: and the same is said to be true of some islands on the coast of Africa. What effect these may have upon the human mind or disposition, I cannot determine; but it seems not improbable, that the offering of incense, and of sweet odours, in sacrifice—especially where a deprecation of the † anger of the Deity, or punishment,

† Countries which lie uncultivated, naturally become marshy and full of woods. The rivers being obstructed in their course, overflow the low lands, and stagnating there, produce marshes and bogs. This was the state of Germany in the time of Tacitus and Pomponius Mela.

Terra etsi aliquando specie differt, est in universum aut sylvis horrida aut paludibus fœda.—Taciti Germania.

Terra etsi multis impedita fluminibus multis montibus aspera & magna ex parte silvis & paludibus invia.—Pompon. Mela Descr. Germaniæ.

‖ Perhaps this may be one cause of the improvement of the Germans.

* Porro per aerem odori plantarum spiritus oberrant passim adeo conferti ut qui Ceyloniam insulam præternavigant ad aliquot milliarium ambrosiacos beatæ regionis odores percipiant.—Haller. Physiolog. Lib. viii. § 3.

† As in the case of Noah at coming out from the ark.

And the Lord smelled a sweet savour; and the Lord said in his heart, I will not again curse the ground any more for man's sake.—Genesis, chap. viii.—The heathen mythology resembled the Jewish in this respect.

ment, was intended—was derived from some observation of the calming † and chearing effects of these odours upon the human system; and indeed, this opinion is not entirely destitute of foundation in medical experience; since we find that aromatic substances of that kind have a singular effect in calming the perturbations of the spirits and agitations of the nerves; and are, indeed, used commonly in medicine with that intention.

Animal effluvia, as well as vegetable, are capable of being mixed with the air, and suspended in it. These are now generally esteemed to be the cause or source of fevers of the || malignant or contagious kind; and generally of a nature highly putrid. This

—— cur quamvis aliorum numina placem
Jane tibi primum *thura* merumque fero?

Ovid. Fast. l. i.

† The ancients had a great opinion of the comforting and cordial effects of sweet odours.

“ Know you not,” says Masurius in Athenæus, “ that the senses are comforted and refreshed by sweet odours; which is expressed by Alexis, in his piece of the Wicked Woman.

It is, says he, the most necessary consideration relative to health, to apply good odours to the brain.” Anacreon and Alcæus have also expressed similar opinions.—Athenæi, lib. xv.

Milton describes the sea as appeased and calmed by the odour of aromatic plants.

——— and many a league,
Chear'd with the grateful smell, old ocean smiles.

Paradise Lost, book iv. l. 164, 165.

Ariosto, also, describes the delight which vegetable sweet odours give to the mind.

E quella a i fiori a i pomi e a la verzura
Gli odor' diversi depredando giva
E di tutti facera una mistura
Che di soavita a l'alma notriva.

Orlando Furios. canto xxxiv. stanza 51.

¶ To this purpose, it is now well known, that the effluvia constantly arising from the living human body, if long retained in the same place, without being dif-
fused

This disposition of the body is found to have a remarkable effect in diminishing the * energy of the brain and nerves, as a great degree of dejection of spirits and strength is one of the most distinguishing symptoms.

It is not, indeed, except when the contagion is either accumulated in large quantity, or very virulent in its nature, that it causes a malignant fever; but this infection is said to have the power, contrary to most other specific contagions, of affecting the body in an † inferior degree, in proportion to its quantity or nature. If this be the case, as it seems to be, then it may affect the disposition and habit, without rising to what may be called an actual disorder. Mankind, indeed, are not, in general, exposed to such influence; but in some cases it may happen even to large bodies of people, particularly those who are shut up in large towns and close streets; and especially to seamen, whose close confinement in ships, and the number accumulated together, render contagions of this kind very frequent.

From these effects we may presume, that an air thus depraved, is not more favourable to the genius and disposition,

fused in the atmosphere, acquire a singular virulence; and in that state, applied to the bodies of men, become the source of a fever, which is very contagious.—Cullen's Practice of Physic, p. 71, 72.

* Labor & confusio in cerebro.—Sauvage.

A constant pain and confusion in the head.—Pringle.

The head-ach and giddiness are much more considerable than in common fevers, even from the beginning.—Huxham on the Putrid Malignant Fever.

† Malignitas sæpe diu lateat & non nisi ubi vires sumpsit sese prodat.—Sennert. Epitome de Febr. lib. iv. cap. 10.

When there is no great quantity of infectious matter, or where a person has not breathed long in such dangerous steams, or where it is not particularly virulent, he will either escape, or have the symptoms come on so slowly, as to leave room for prevention before the fever be formed. Much also will depend on the constitution. Some will have the disorder hanging about them several days or weeks before it confines them to their bed; others will complain for weeks of the same symptoms, without any regular fever.—Pringle on the Jail Fever.

than.

than to the health of mankind.—Perhaps it may be refining too far, to ascribe the timid character generally attributed to the inhabitants of great cities to this cause; yet a disposition of the body to putrefaction, produces this effect in a remarkable manner. This is || instanced in the scurvy:—which, by the way, may be ascribed with at least equal probability to foul air, as to any other cause—wherein the courage † and resolution are found to fail very greatly.

Mineral effluvia, as well as vegetable or animal, may arise into, and remain suspended in the air. These are of various kinds, as of metals, volatile salts, sulphur, &c. By many of these the health is liable to be affected; but how far they influence mankind in the respects here intimated, I cannot determine. One observation, however, it may be proper to mention, which is related by Mr. Brydone to have been made by an ingenious philosopher on the spot, the celebrated Padre del Torre, the historiographer of Mount Vesuvius—that in the places where the air is most strongly impregnated with sulphur and hot exhalations, the people were always the most wicked and vicious. The truth of this observation, Mr. Brydone informs us, seemed to be confirmed by similar remarks on the people in the neighbourhood of Mount Etna.

Another impregnation of the air which occurs very frequently, and in some countries in a greater degree than in others, is that of electric matter. By some this is imagined to affect the spirits very considerably: which seems probable by the sensation of lowness which many feel on the approach of a thunder-storm.

But how far these may influence any of the particular articles here mentioned, our knowledge of the subject is not yet sufficient to determine.

|| Dejection and low spirits is the first symptom of the Sea-Scurvy.—Vide Doctors Lind and Rouppe:

† Vide Rouppe's Diseases of Seamen, p. 155, 159.—and Lord Anson's Voyage, p. 146.

BOOK II.

Of the Influence of Situation and Extent of a Country.

THE situation, and comparative size and extent of a country, as well as its climate, have some effect in several of the respects above-mentioned.

CHAP. I.

OF THE EFFECTS OF A SITUATION TO THE EAST OR WEST OF EUROPE.

SOME writers have made a distinction between those people who live towards the * East or West. But this is of no consequence; and the differences they remark, may be ascribed to other causes. The distinctions of this kind, found in the ancient writers, which are in some measure still kept up in modern expression, evidently refer to a difference of climate. The ancients

* Tandem etiam discrimen observatur inter populos qui ad orientem & ad occidentem habitant.—Hoffman.

looked upon the East, as well as the South, as the region of heat, from the countries in that quarter, with which they were acquainted, lying in a hot climate.

CHAP. II.

EFFECTS OF AN INSULAR OR CONTINENTAL SITUATION.

ANOTHER distinction, of more importance, is into island and continent.

As the influence of a situation of this kind is principally exerted on the form of * government, I shall consider it chiefly with that view.

The inhabitants of islands, † Mr. Montesquieu observes, have a higher relish for liberty than those of the continent; and therefore are, in general, free.—Thus the inhabitants of Great Britain ‡ were a free people, according to the first accounts we have of them. Sicily was, I believe, at the earliest period of which we have any history, divided into a number of small independent republics. Sardinia ||, also, was a free country, and preserved its liberty against all the attacks of the Carthaginians; and it appears also to have been but imperfectly subdued even by the Romans. Strabo ** mentions the obstinate defence made by the Corsicans—who, in his time, still maintained a degree of independence—against

* Most of the other consequences, derived from an insular or continental situation, appear to be derived from their effects on the form of government.

† Spirit of Laws, book xviii. ch. 5.

‡ Taciti Agricola, cap. xii, xiii. — Diodori, lib. iv. — Dion Cassii, lib. lxii. Oratio Bundericæ.—Vide etiam lib. lxvi.

|| Diodor. Siculi, lib. v.—Strabon. lib. v.

** Strabon. lib. v.

the Romans. Crete was the model of several of the most celebrated republics; and even the small islands in the Egean sea were each of them free and independent states.

The Balearic islands were not reduced without a * vigorous resistance; and the conquest of these, however inconsiderable in size, added another title to the triumphs of Metellus.

Even in the present age, a degree of independent spirit is found in the people of Sicily and Sardinia, each of which preserve the appearance, at least, of a free constitution. And the same disposition was found in a great degree in the East Indian islands; which still remain mostly under the dominion of the original inhabitants, whilst the continent has always been, and still is, a prey to every invader.

This love of liberty and consequent freedom is owing to several causes. Islands are commonly but of moderate extent: one part of the people cannot be so easily employed to oppress the other, the interests of all being nearly alike: the sea separates them from great empires, so that they cannot be countenanced by tyranny: conquerors are stopped by the sea: the islanders themselves are not involved in conquests, and more easily preserve their † laws.

Another reason why islands are more free than continents, particularly in hot climates, is, that in them the heat is not so extreme as on the continent; and consequently the people are less timid, indolent, and servile, and of course less suited to that form of government.

Another cause why, in civilized countries at least, an insular situation is more favourable to freedom, is, that in them the people have a natural disposition to naval ‡ affairs; and of consequence

* Strabon. lib. iii.—Lucii Flori, lib. iii. cap. 8.

† Spirit of Laws, book xviii. ch. 5.

‡ Themistocles ordered, that the pulpit for public orations should be turned towards the sea, which the thirty tyrants afterwards turned towards the land, sup-

quence the chief strength of the country is employed on fleets and a maritime force.

Now, in such circumstances, a standing army, which is always necessary to the support of despotism, could scarcely be maintained; and would also be considerably checked by the naval power, which is itself no ways hazardous to liberty, but difficult to be made an engine of tyranny.

This is the cause why Holland and Venice, the latter especially, have shewn so much jealousy of their land forces, whilst they put such unbounded confidence in their fleets.

What has been said of islands, may in a great measure be applied to countries that approach to islands in their situation. It has been observed, generally, that the most respectable nations have had one part of their frontier washed by the sea. Thus * Aristotle advises to chuse a situation for a city, if possible, adjacent to the sea. This barrier is, perhaps, the strongest of any in the times of barbarism; and in the advanced state of arts, gives scope and facility to commerce. Thriving and independent nations were accordingly scattered on the banks of the Pacific and Atlantic oceans; they surrounded the Red-sea, the Mediterranean, and the Baltic; whilst (a few tribes excepted, who retire among the mountains bordering on India and Persia, or who have found some rude establishment among the creeks and shores of the Caspian and † Euxine seas) there is scarcely a people in the vast continent of Asia that deserves the name of nation.

A naval power is also cultivated in insular situations, not only posing that great power by sea would give life and encouragement to a popular government; but that labourers and husbandmen would be less offended at the greatness of the nobility.—Plutarch's Life of Themistocles.

* De Republica, lib. vii. cap. 5.

† All the free nations in Asia, mentioned by Xenophon, in his Expedition of Cyrus, (the Carduchi of the mountains, and the Greek colonies, excepted) were situated on the Euxine Sea.—Spelman's Xenophon, p. 298.

on account of trade, but also because of the influence it bestows among the neighbouring nations. The Athenians, by means of a naval power, gave laws to the greatest † monarch of his time, and humbled the maritime powers of Syria, the isle of Cyprus, and Phœnicia. But the Athenians, although they possessed a great maritime force, yet not being placed in an island, and also exerting the chief of their force in the naval service, were liable to some inconveniences from their situation, which are well pointed out by Xenophon in his account of that republic. "Athens," says he, "rules the sea; but as that country is joined to the continent, it is ravaged by enemies, whilst the Athenians are engaged in distant expeditions. Their leaders suffer their lands to be destroyed, and secure their wealth by sending it to some island. The populace, who have no land, have no uneasiness. But if the Athenians inhabited an island, and besides that enjoyed the empire of the sea, they would, as long as they were possessed of these advantages, be able to annoy others, and at the same time be out of all danger of being annoyed themselves." One would imagine, says Mr. || Montesquieu, that Xenophon was speaking of England.

† The king of Persia, in his treaty with Cimon, agreed to keep as far from the sea as a horse could gallop.—Plutarch's Life of Cimon.

|| Spirit of Laws, book xxi. ch. 7.

C H A P. III.

SIZE AND STRENGTH OF A COUNTRY.

THE size and strength of a country, comparatively with that of its neighbours, is also a circumstance of the utmost importance. This is a subject upon which no determinate rule can be given, as the measure of enlargement of any particular state must be taken from the condition of those adjoining. Where a number of states are contiguous, they should be nearly on an * equality, that they may be objects of respect and consideration to one another; and that they may possess that independency in which the political life of nations consists. Thus, when the kingdoms of Spain were united; when the great fiefs of France were annexed to the crown †, it was no longer expedient for the nations of Great Britain to remain disjoined.

In general, however, the union of many states under one head proves subversive of the genius and virtue of the whole. The emulation which formerly subsisted between them, and which is,

* All grandeur, force, and power, are relative; care therefore must be taken, that in endeavouring to increase the real grandeur, the relative be not diminished. Sp. of Laws.

† Mr. Montesquieu observes, that France was at its highest pitch of relative grandeur in the time of Louis XIV.—Germany had not then such powerful monarchs as it has since produced; Italy was in the same case; England and Scotland were not formed into one united kingdom; Arragon was not joined to Castile; and Muscovy was as little known in Europe as Crim Tartary.—Sp. of Laws, book ix. ch. 9. —I suspect that Louis XII. is meant in the above quotation. It is, however, printed Louis XIV. in two editions.

indeed,

indeed, the parent of these qualities, is extinguished. The scene of political intrigue and business, which fed the fire of liberty, and incited the citizens to endeavour to qualify themselves for the service of the public, is removed from the separate states, and concentrated in one capital; consequently, the political genius of nations falls to decay for want of employment, and that fire dies away in obscurity, which in another situation would have conducted the fortune of the state to greatness and to glory. This we see notoriously exemplified in the Grecian republics. Thrafibulus, Agefilaus, and Epaminondas, were all formed by the contention of the respective states to which they belonged. Had the cities of Greece been united under one head, it is more than probable, these eminent characters would never have appeared. It must, nevertheless, be owned, that this must be understood with some limitations. The size of the Grecian republics, however well adapted to their situation, and the state of mankind at that period, would be too small, in the present division of empire, to acquire sufficient strength to preserve a political independency, and, instead of maintaining their liberty, would only become contemptible. The smallness of force and power frustrates, in a great measure, the advantage of separation. Their situation would somewhat resemble that of the allodial tenants in England, and the other parts of Europe, on the first introduction of feuds. They were liable to attacks from all, without a claim of support from any. This caused them all, in a few years, to be converted into feudal tenures, under which they had a claim of protection, in recompence for the service or rent which they yielded.

It is, however, true, that the usual pretext for enlarging the territory of a nation (which is, to encrease its force and power) though it may be sometimes really meant with that intention, is in general only a specious cover for the rapacity or ambition of the leaders of the state. Those who are disposed to plunder, either the
property

property or rights of mankind, are not to learn * that the increase of dominion beyond a certain limit has a natural tendency that way; and that nations who were free at the commencement of their victories, often come, in the course of them, to be yoked with the slaves whom they had conquered. The enlargement of territory is apt to debase the manners both of the victors and the vanquished, and to render them alike servile, timid, and corrupt. The extent of the state prevents the concurrence of the different parts in the vindication of their respective privileges: one part is employed to oppress the other: jealousies are mutually fomented between them, by those who are to be the gainers by their subjection; which hinders their co-operation in time, and with force sufficient to prevent the chains of despotism being rivetted upon them. Hence, the union of the fiefs in France and Spain produced an absolute government in both. Their rulers, by tampering separately with the different provinces, prevented their uniting together to support one another, and indeed, made each of them respectively the causes of the other's subjection. England, on the † contrary, which was, but one government, and whose extent was more moderate, had sufficient strength to resist these encroachments, as the same attempts to divide their force could not be practised.

But, independent of these considerations, the defensive force of a state is really diminished when it arrives to an enormous size.

‡ Mr. Montesquieu observes, as || Xenophon had before done, that
in

* The more the dominion of any state is enlarged beyond a certain limit, the more it tends to produce an absolute government.—Sp. of Laws, book viii. ch. 19. and book x. ch. 16.

Tacitus paints, in very strong terms, the effect which the enlargement of the Roman empire had in exciting ambition and love of power among private persons. Histor. l. ii. cap. 33.

† See M. De Lolme on the Constitution of Great Britain.

‡ Sp. of Laws, book ix. ch. 6.

|| It was obvious, says Xenophon, to any person of attention, that the Persian empire, though strong with respect to the extent of country and numbers of men, was, however,

in order to preserve a state in its due force, it must have such an extent as to admit of a proportion between the celerity with which it may be invaded, and that with which it may defeat the invasion. As an invader may appear on every side, it is requisite that the state should be able, on every side, to make a defence; consequently it should be of a moderate extent, proportioned to the degree of velocity that nature has given to man, to enable him to move from one place to another.

We have a remarkable instance, in our own history, of the annexation of provinces and kingdoms conferring no additional power on their possessor, but rather the contrary. Henry the Second, of England, a prince confessedly of great abilities, was at one time in possession of, besides the crown of England, the provinces of Normandy, Anjou, Touraine, Maine, Guienne, Poictou, Xaintonge, Auvergne, Perigord, Angoumois, the Limosin, and Brittany; all which he held by a peaceable and indisputable right. These provinces composed above a third part of the French monarchy, and were much superior, in extent and opulence, to those territories which were subjected to the immediate jurisdiction and government of the King; yet the kings of France found it easier to conquer those numerous provinces from England, than to subdue a duke of Normandy or Guienne, a count of Anjou, Maine, or Poictou. The cause of this is excellently explained by a * celebrated historian of our own country.

however, weak, by reason of the great distance of places, and the division of its forces, when surpris'd by any sudden invasion.—Expedition of Cyrus, book i.

* Hume's Hist. of England, reign of Henry II.

C H A P. IV.

SITUATION OF A COUNTRY WITH RESPECT TO ITS
INTERCOURSE WITH OTHERS.

A Country that has none, or scarce any intercourse with others, is generally in a savage state. The ferocity and savageness of several of the Spanish nations, is ascribed by † Strabo to their living so remote from any other people, by which their intercourse with strangers was cut off. Quintus Curtius ‡ makes the same remark, with respect to the people who inhabit the maritime parts of India; and Mr. Montesquieu || imputes the savageness of the people on the coast of Africa to the same cause.

The reasons of this are sufficiently obvious. Civilization of manners is only attained by an intercourse with mankind, and by being acquainted with the various wants and necessities of one another; but a people who are remote from the rest of the world are almost always few in number, have no idea of commerce, and are unacquainted with the various improvements suggested by society. Hence their knowledge must be very confined, their capacity of improvement very moderate, and their manners and behaviour consonant, that is, rude and unpolished. We see daily, in common observation, how much, not only a connection, but a constant personal intercourse and conversation, with a variety of people, whose wants, tempers, and manners are so different, tends to civilize mankind; which must arise from the necessity there is, in so varied a society, of a mutual accommodation to the disposition of each other respectively. This is, no doubt, the reason why the inhabitants of cities are more polished than those of the country;

† Lib. iii.

‡ Lib. ix. cap. 10.

|| Sp. of Laws, book xxi. ch. 2.

and why agriculture, which is rather a silent and solitary employment, should render those who practise it more austere and rugged in their manners and behaviour, than many other mechanic employments, in which a number of persons are concerned, in company with one another. The effect above described of a town and country life upon the manners, was so well known to the Greeks and Romans, that they used, in common speech, the words which signified these respectively, to denote * politeness and elegance, or † savageness and brutality of behaviour and conduct. It is well observed by a ‡ modern elegant writer, that this confined intercourse of the species tends ultimately to the formation of a peculiar genius and temper throughout the people so separated. This was probably the cause of the similarity of disposition among the Jews; whose seclusion from intercourse with other nations, though founded on religious or political principles, had nearly the same effects with those usually produced by remoteness of situation from the rest of the world. The same observation holds good, in a great measure, with respect to China. The same genius, the same disposition, as well as the same laws, manners, and customs, pervade every part of this vast empire ||. Their separation from the rest of mankind in some measure accounts for this uniformity. This similarity is still more striking with regard to the figure and countenance. Tacitus †† says, that the Germans had a

* *Ἀσείσμος*—urbanitas, civilitas.

† *Ἀγροικία*—rusticitas.

‡ Dunbar's *Essays on the History of Mankind*, Essay xiii.

|| Vide Le Compté's Account of China.

†† Ipse eorum opinionibus accedo, qui Germaniæ populos nullis aliis aliarum nationum connubiis infectos propriam, et sinceram, et tantum sui similem gentem extitisse, arbitrantur; unde habitus quoque corporum quanquam in tanto hominum numero, *idem omnibus*, truces et cœrulei oculi, rutilæ comæ, magna corpora, et tantum ad impetum valida. Laboris atque operum non eadem patientia. Minimeque sitim æstumque tolerare; frigora * atque inediam. Cœlo solove assueverunt.—Germ. cap. iv.

* Probably this passage should be read thus:—Frigori atque inediæ, cœlo soloque, assueverunt.

certain uniformity of appearance, that went through the whole, and became a national characteristic; and, indeed, the marks he describes, are frequently mentioned, as belonging to that people, by other † authors.

The Jews have at present a certain similarity to one another, that distinguishes them in every part of the world; which can be ascribed to nothing else but their being altogether divested of any connection with strangers.

The Chinese, likewise, have a similar resemblance. The figures drawn upon the porcelain, and upon the papers for hanging rooms, brought from that country—which are said to be very faithful copies of the people—bear a surprising likeness to one another, both in figure, attitude, and countenance.

The new hemisphere presented appearances exactly similar. In America there is much less variety in the human form, than in the ancient continent. The most accurate observers, who have had an opportunity of seeing the Americans in very different climates, have been struck with the amazing similarity of their figure ‡ and aspect. The same reasons that produced this appearance in China, have also operated on the other side of the Pacific Ocean.

† Strabo gives an account nearly similar, both of the Gauls and Germans, lib. vii.
—Diodorus also describes them in the same manner, lib. v.

‡ Robertson's Hist. of America, book iv. and note xlv.

B O O K III.

On the Influence of the Nature of the Country itself.

UNDER this head several variations are comprehended.
The first of these, of which I shall treat, is of *plain
and hilly*.

C H A P. I.

INFLUENCE OF A MOUNTAINOUS OR PLAIN COUNTRY.

HERE it is proper to remark, that the inhabitants of mountainous countries may be considered as living in a different climate from those who dwell in plains; a lofty situation being always considerably colder. Mountainous countries, therefore, must have a certain allowance made to them on this account, in proportion to their elevation or exposure. This may possibly be one reason why, in hot climates, we sometimes, as in Chili in South America, find among the hills some free nations. But mountainous countries are thought by some to produce specific effects upon those who inhabit them.

Hippocrates

Hippocrates tells us, that mountaineers are active in their bodies, with their joints well fitted to each other, their skins hairy, and their bodies * patient of labour and of watching; their tempers passionate, obstinate, and impatient of restraint; with their manners inclining rather to fierceness than mildness. They are, also, acute in their understandings, and in learning the arts, and diligent in their dispositions, with a turn for war, and military employments. † The above description of people in such a situation is in a great measure just in all the instances he mentions, and is confirmed by other observations. Aristotle takes notice, that ‡ hilly countries breed animals fiercer and stronger than those who live in plains; and that people do not feel the effects of age || so soon in hilly as in flat countries. Mr. Swinburn **, in his Travels through Spain, observes, that in Catalonia the nature of the country appears to have a great influence on the inhabitants, who are a hardy, active, industrious race, of a middle size, brown complexion, and strong features, their limbs well knit together, and by education and practice inured to the greatest fatigues; and that there are few lame or distorted persons among them. They likewise possess a bold independent spirit, which breaks out upon every stretch of arbitrary power, and which no tyranny or oppression can stifle or suppress.

In consequence of this disposition of the people, and of the nature of the country, hilly countries are with difficulty conquered by a foreign force, and in general preserve a free government

* Zimmerman ascribes this quality to the coldness of their situation. *Frigoris igitur perennitas, et artus, et integra corpora, comprimendo corroborat, efficitque ut naturam longé firmiorem valentiorēque induant.*—Zimmerman *Zoolog. Geograph.* speaking of the inhabitants of mountainous countries.

† *De Aeribus, Aquis, et Locis*, § lv. & lviii.

‡ *Hist. Natural.* lib. viii. cap. 29.

|| *Problem.* § xiii. 7.

** *Travels through Spain*, Letter ix. p. 61.

among themselves. Thus the Scots and Welsh * long resisted the arms of the Romans and Saxons ; and the mountains of Asturias, in Spain, served as a barrier against the Moorish conquests, and at last produced a people who reconquered the remainder of Spain from those invaders. The Swiss, too, owe both their political independency †, and their civil liberty, in a great measure, to the strength of their situation ; which equally affords an asylum against foreign force and domestic tyranny.

The strength of the country was also, in all probability, a great cause of the liberty of the ancient Germans.

Plains, or flat countries, on the other hand, are favourable to despotism ; they form no barrier against foreign invasion, no refuge against internal tyranny. This difference of the nature of the country is assigned, by Mr. ‡ Montesquieu, as a natural cause, though by no means the only one, of the slavery of Asia, and of the liberty of Europe.

It is observed, that the division of territory in Asia has always been into large empires ; whilst Europe has been parted into governments of a more moderate extent. The cause of this probably arises from the vast plains with which Asia abounds, and its being divided into much larger portions, by seas and mountains ; which last, on account of their southerly situation, are not so liable to be covered with snow, and are, of course, crossed with greater facility. The same circumstance causes the rivers themselves to be more inconsiderable, and to form less secure barriers.

On the other hand, the country in Europe is in general strong, and defended with greater ease. The great ridges of mountains,

* The preservation of the Scotch freedom and independence, as a nation, was owing to their mountains and fastnesses, in the time of Edward I. of England.

† Milton was of opinion that mountainous countries were most favourable to freedom, as appears from his calling liberty the *mountain nymph*, in his poem of *L'Allegro*.

‡ *Sp. of Laws*, book xvii. ch. 6.

and rivers which are never dried up, divide it into countries of a moderate size, and proportioned in extent, force, and national advantages, to one another; so that conquests are seldom made, and soon checked by a confederacy of the other states in favour of the oppressed, as no one of them possesses sufficient force to resist a general combination of the remainder. The strength, likewise, of the country, prevents its being suddenly overrun; and its moderate size renders it easy for the neighbouring states to march to its assistance.

These circumstances have, no doubt, contributed greatly to form a genius for liberty, and to render every separate nation difficult to be subdued, and subjected to a foreign power. Asia, on the contrary, has been always remarkable for a servile spirit; which, no doubt, arises in a great measure from their habituation to slavery, which the above natural causes have contributed to induce; and although some instances resembling heroism, and greatness of mind, have appeared among them, it no more resembles the steady and regular exertion of a free people, than the strength acquired by labour and exercise does the transient and irregular violence of a convulsive paroxysm.

CHAP. II.

FERTILITY AND BARRENNESS OF THE SOIL.

ANOTHER distinction, still more important, is, into *barren and fertile*.

Fertile and pleasant countries, although they may at first sight appear highly desirable, have not been found by experience to favour the perfection of human nature. The inhabitants of such are * said to be disposed to be indolent and effeminate in their dis-

* Hippocrates de Aeribus, Aquis, et Locis, § lvii.

positions, mischievous and cruel in their tempers, debauched and profligate in their manners, little disposed to make improvements in arts and literature, and slaves to a despotic * government.

Barren countries, on the other hand—at least where the barrenness is only such as tends to excite, and not to discourage, industry—produce people of a moral and regular course of life, of an industrious disposition †, and brave temper of mind, and an aptitude to improve in arts or learning, particularly in military affairs, and generally living under a form of government partaking of freedom. The causes of these differences remain to be spoken of more at large.

Fertile countries generally produce a large superabundance of the necessaries of life, without much labour; consequently a large portion of the time of great part of the inhabitants must be unemployed. This was the case, as we are told by Strabo, and by Diodorus Siculus, of the ‡ East Indies; whose inhabitants, on that account, were extremely || lazy. This habit of idleness, and the plenty of gratifications of the appetite and passions, which such countries naturally produce, renders them delicate and ** luxurious, and is the natural parent of debauchery and profligacy.

But in countries where the produce of the earth is not acquired without toil and labour, the time of the inhabitants is mostly occupied, consequently little leisure is left for the indulgence of the vicious passions: and the gratifications of appetite are in general beyond the reach of those who can afford little more than the necessaries of life. Property also, acquired by industry, impresses an idea of regularity and exactness in our dealings, and of the value of

* The goodness of the land in any country naturally establishes subjection and dependence.—Sp. of Laws, book xviii. ch. i.

† Hippocrates de Aeribus, Aquis, et Locis, § lviii.

‡ Strabon. lib. xv.—Diodor. Siculi, lib. ii.—and the modern accounts.

|| “The people here, on account of the great plenty of provisions, live in a sluggish and idle manner.”—Ibidem Strabon.

** Posidonius attributed the luxury of the Asiatics, in a good measure, to the richness of the soil.—Athenæi, lib. v. and lib. xii.

time, labour, and money; all which circumstances are highly conducive to the promotion of honesty and justness in our conduct and transactions.

Fertile countries are also observed to produce people less courageous than what are found in barren ones.

* Strabo observes, that people who inhabit a rich and fertile country are desirous of a peaceable life; those, on the other hand, who live in a barren and inconvenient situation, are of a brave disposition, and addicted to warfare. This is owing to several causes. —Idleness has, as is well observed by † Hippocrates, a natural tendency to promote timidity and cowardice.

Plenty likewise, and its attendant luxury, have a similar effect. Thus we find ‡ Livy remarking, that the Gauls who had conquered a part of Asia, and were settled there, were no longer the same hardy and active people with their forefathers, who made the conquest; and introduces the Consul Manlius cautioning the soldiers in the strongest manner against indulging in the pleasures which that fertile and delightful country afforded, as such were the greatest destroyers of bravery and vigour of mind.

* Lib. ii.—Hippocrates expresses nearly the same sentiments, *De Aeribus, Aquis, et Locis*, § lv. and lvi.

Nature, says Herodotus, has so ordered things, that delicious countries produce an effeminate race, and men excellent in war are not bred in those regions that yield the most admirable fruits.—Lib. ix.

† Hippocrates, speaking of the Asiatics, observes, that “timidity is increased by idleness and sloth, but that courage proceeds from exercise and labour; hence,” says he, “the Europeans are more courageous than the Asiatics.”—*Ibidem*, § liv.

‡ *Eosdem hos creditis esse, qui patres eorum avique fuerunt? Extorres inopia agrorum profecti domo per asperrimam Illyrici oram Poconiam, inde et Thraciam, pugnando cum ferocissimis gentibus, emensi has terras ceperunt. Duratos eos tot malis exasperatosque accepit terra, quæ copia omnium rerum saginaret: uberrimo agro, mitissimo cælo, clementibus accolarum ingeniis omnis illa cum qua venerant mansuefacta est feritas. Vobis mehercule Martis viris cavenda et fugienda quamprimum amœnitas est Asiæ: tantum hæ peregrinæ voluptates ad extinguendum vigorem animorum possunt.*—Livy, lib. xxxviii.

Sallust

Sallust mentions, in like manner, the effect of the richness and beauty of the country, in * corrupting the army which Sylla had led into Asia.

For these reasons the Swiss—who are, perhaps, in proportion to their extent of country, the most respectable people in Europe, and yet preserve their manners, laws, liberty, and independency, notwithstanding their country affords very few of the luxuries of life, and their trade is but small—have nevertheless thought proper to enact sumptuary laws, in order to prevent the introduction of foreign luxuries; to which wise conduct, amongst other precautions, their present happy situation is owing.

We might perhaps, at first sight, imagine, that since, in proportion as a country is more fertile, it is so much more valuable to its possessors, that the inhabitants would exert themselves more strenuously in its defence; but this by no means follows: and we see by experience, that the richest people † are far from being the bravest; and besides, the more valuable any possession is, it presents an object the more tempting to him who desires to ‡ seize it, and consequently the attack will be more || violent.

Nor are countries of great fertility, and even of apparent superiority to others, in point of national advantages, found by experience to be most favourable to either arts or commerce. Some intermediate degrees of inconvenience in the situation, at once excite the spirit, and with the hopes of success encourage its efforts. It is in the least favourable situations, says Mr. Rousseau, that the

* *Loca amœna voluptaria facile in otio feroces militum animos molliuerant.*—Sallust Bell. Catil.—Lucius Florus has also made a similar remark, lib ii. cap. 11.

† *Nam Asia et amœnitate urbium et copia terrestrium maritimarumque rerum, et mollitiâ hostium regiisque opibus, ditiores quam fortiores exercitus faciebat.*—Livii, l. xxxix. cap. 1.

‡ The vineyards, olive-yards, and corn-fields of Gaul and Italy first induced the northern nations to invade the Roman empire. Domitian, a prince of great timidity, on that account ordered all the vines in Gaul to be rooted up.

|| Strabo mentions, in Spain, that the barrenness of the soil in one part of the country excited the people to seize the possessions of their richer neighbours.—Book iii.

arts have flourished the most. I could shew them in Egypt, as they spread with the overflowing of the Nile; and in Africa, as they mounted up to the clouds from a rocky soil, and from barren sands; while on the fertile banks of the Eurotas they were not able to fasten their roots *.

The same observations hold good of literature, and mental accomplishments; which require a situation in most respects resembling that most suited to arts and commerce. The causes of this are not inobvious: idleness and luxury, the produce of fertile regions, are, when the latter is carried to any great length, highly unfavourable to any active employment of either mind or body,

* It seems an odd position, says Mr. Hume, in his Essay on Commerce, that the poverty of the common people in France, Italy, and Spain, is in some measure owing to the superior riches of the soil, and happiness of the climate; yet there want not reasons to justify this paradox. In such a fine mould or soil as that of those more southern regions, agriculture is an easy art, and one man, with a couple of sorry horses, will be able, in a season, to cultivate as much land as will pay a pretty considerable rent to the proprietor. All the art which the farmer knows, is to leave his ground fallow for a year, as soon as it is exhausted; and the warmth of the sun alone, and temperature of the climate, enrich it, and restore its fertility. Such poor peasants, therefore, require only a simple maintenance for their labour; they have no stock or riches which claim more: and at the same time they are for ever dependent on their landlord; who gives no leases, nor fears that his land will be spoiled by the ill methods of cultivation. In England the land is rich, but coarse, must be cultivated at great expence, and produces slender crops when not carefully managed, and by a method which gives not the full profit but in a course of several years. A farmer, therefore, in England, must have a considerable stock, and a long lease, which produce proportionable profits. The fine vineyards of Burgundy and Champagne, that often yield to the landlord above five pounds per acre, are cultivated by peasants who have hardly bread. The reason is, that such peasants need no stock but their own limbs, with instruments of husbandry, which they may buy for twenty shillings. The farmers are commonly in some better circumstances in those countries; but the graziers are most at their ease of all those who cultivate the land. The reason is still the same: men must have profits proportional to their expence and hazard. Where so considerable a number of the labouring poor, as the peasants and farmers, are in very low circumstances, all the rest must partake of their poverty, whether the government of that nation be monarchical or republican.

and

and consequently ill adapted to advance or further the genius of mankind in any capacity.

The form of government, in countries that are naturally very fertile, is, in general, approaching to despotism; and in barren ones, to liberty. This may be observed in the great empires of Asia, Africa, America, and even in Europe. Many causes concur to produce this effect. First, a rich country is very apt to produce inequality of property among the * members of the state; a circumstance highly adverse to freedom. This naturally produces a high respect for riches, a thing very hazardous to liberty. The Suiones, says Tacitus, hold riches in high estimation, and are accordingly disarmed and reduced to slavery. The Spartan government, indeed—which, although the country was very fertile, was, notwithstanding, undoubtedly free—may, perhaps, be urged as an instance to the contrary. But in my opinion it confirms it very strongly. That rigid discipline of manners, and severe way of life; their equality of property, and the banishing even money itself; were probably intended by Lycurgus to counteract, amongst other things, the fertility of the country. Possibly, had he given laws to Athens, whose territory was barren, he might have been less severe.

Next, the corrupt and idle manners, and cowardly and effeminate disposition of the people, tend, as has been before observed, to produce this form of government. Moreover, a highly fertile country is most commonly plain and even, and easily over-run by a foreign enemy, or subdued by a standing force.

The plains of Tartary are a notable instance of the effect of a

* The natural richness of the soil, says Thucydides, (speaking of some of the Greek states) increasing the power of some among them, that power raised civil dissensions, which ended in their ruin; and at the same time exposed them more to foreign attacks. It was only the barrenness of the soil that preserved Attica, through the longest space of time, quiet and undisturbed in one uninterrupted series of possessors.—Smith's Thucydides, book i.

level and fertile country in producing this form of government. That people, although of a military disposition, and not enervated by luxury, are nevertheless reduced into a state of political slavery. Their country is flat, their rivers form but imperfect barriers, and are often frozen; consequently they can have no fastnesses or strong holds to which they might retire, or be enabled to stop the progress of an enemy, or to form a retreat from arbitrary violence and power. Every part of the country affords subsistence for cavalry †, (which is the kind of military force most used) and consequently for men, who there draw their subsistence from those animals. Hence the whole country is exposed to their inroads every way: consequently every nation must, in its turn, have been subdued; and, as they are very cruel conquerors, reduced to slavery. As this must have frequently taken place, servitude must have become familiar amongst them. Arabia, on the contrary, though a flat country, and situated in a hot climate, has maintained its political independence merely by the nature of the country which incloses it, which at first sight seemed to promise no advantages, it being a dry and sandy desert. This affords neither meat ‡ nor drink for cavalry, nor shelter

† The plains of Tartary are rich in soil, and abounding in every thing necessary for the support of man.—Du Halde.

‡ “In that dry country,” says Diodorus Siculus, “they have wells sunk in convenient situations, which are unknown to strangers, but which afford relief and assistance to the natives in their flight: for, since they are acquainted with the situation of these wells, they can easily make the proper use of them. But the strangers who are in pursuit of them, are ignorant where these wells are to be found; and partly from want of water, and partly from the other hardships, either perish in the deserts, or with difficulty retreat to their own country. On this account, neither the Assyrians in early times, nor the Medes nor Macedonians, could ever subdue the princes of the Arabs; but, although they made their attacks with great armies, could never bring their enterprises to a prosperous conclusion.—Diod. Sicul. lib. ii.

Aelius Largus, says Dion Cassius, led an army into Arabia Felix, of which country Sabos was then king. But although at first they met with no enemy, yet

shelter from the burning rays of the sun ; and in so hot a country it is next to impossible to carry such a quantity of provisions, and conveniences for shelter, as would be necessary for any length of time. Hence every expedition against this people has failed of success ; and the country, although plain, may well be called strong by situation.

This circumstance, which has proved the preservation of their political liberty, has caused them to retain their civil || also. As they have never been conquered, they have never been habituated to slavery, but always to the resistance of it ; consequently its idea is odious. Civil tyranny, for this reason, cannot be countenanced by foreign powers. Their mode of life also, which is of the military kind, throughout the whole people, prevents tyrannical exercises of power, as they are all * armed, and one part cannot well be employed to oppress the rest, as is practised in many of the eastern countries, wherein the prince makes himself a slave to the army, in order to use them as instruments of tyranny over the remainder of the people.

Rich countries, moreover, are enabled to endure a great degree of oppression, without depriving the people of the necessities † of

they found their expedition disappointed by the great trouble and fatigue attending it ; for the desert state of the country, the heat of the sun, and the want of water, so distressed them, that the greater part of the army perished. These were the first, and, as I suppose, will be the last of the Romans who ever penetrated into this country in a hostile manner.—Dion Cassii, lib. iii.

|| The Arabs, therefore, the inhabitants of this country, as they could not be conquered in war, so have never submitted to be made slaves at home. They never admit of a foreign yoke, but always preserve their liberty intire. — Diod. Sicul. lib. ii.

Dr. Shaw says, that the chief of the Arabs never determines any dispute, without the advice of one or two persons from each tent.—Shaw's Travels, ch. iv. § 1.

* The Arabs always go armed.—Voyage up the Red-sea by Eyles Irwin, Esq..

† Besides bread corn, says Diodorus, millet is produced in great plenty in India, which proceeds from its being so well watered by streams and rivers. There is

of life; consequently, they are not driven to resistance through absolute necessity. But the contrary would happen in barren countries; in which, if any extraordinary oppression was to be practised, it would put a stop to industry and to cultivation, and consequently instantly deprive many persons of their subsistence, and thereby produce insurrections and opposition.

This was the case of the Swiss, when under the dominion of the house of Austria.

At present, the Swiss pay no taxes, even to their own government; but, as Mr. Montesquieu observes, in those barren mountains, provisions are so dear, and the country so populous, that a Swiss pays four times more to nature, than a Turk does to the Sultan.

How could such a country support itself under the exactions of arbitrary power?

Fertile countries, also, are more exposed to despotic attempts than barren ones, in proportion, in some measure, as the landed property of the inhabitants of the former is more valuable.

Riches have been before observed to be a temptation to the

is also a great variety and plenty of pot-herbs. Add to these, rice, and what is called bosporus, and many other articles adapted to the support of life. Besides these, many esculent fruits, which are also suited to the nutriment of animals. On this account, we never hear of India being oppressed by famine, or by any want of this mild kind of diet. For in India the crops ripen twice in a year, once in the winter, at the time when corn is sown amongst other nations; and again about the summer solstice, when the sowing of rice, bosporus, sesamum, and millet, falls out; from both of which harvests they have generally a large produce of fruits of the earth of all kinds. And if one harvest should fail, it is next to a certainty the other will succeed.—Moreover, the fruits that grow spontaneously there, and the roots that are found in the marshy places, which are remarkably sweet and pleasant, afford a large quantity of nutriment to mankind.—Diod. Sicul. lib. ii.

Several parts of Africa, and of South America, are in a similar state, the subsistence of man being of inconsiderable value, and yielded almost spontaneously by nature.—Vide Shaw's Travels into the Levant—and Ulloa's Voyage to South America.

foreign

foreign invader; and they are no less so to the domestic usurper. But in a barren country, the possessions of each individual are little more than sufficient for bare subsistence, and of small estimation in themselves, and only rendered valuable by industry; consequently, there cannot be much accumulation ‡ of property.

Scarce any temptation, therefore, is offered to the pretender to despotism.

Riches, on the contrary, such especially as are in their own nature either immoveable, or at least not easily transferrable from one place to another, are apt to give encouragement to attempts of this kind, by the hold they afford, and the attachments they create. Forfeitures and confiscations, the usual attendants upon tyranny, affect the rich very powerfully, and these only; since, where the property of each person is inconsiderable, they are little motives of restraint. Every thing that can deter, in the latter case, must be of a personal kind, either to a man's self, or his family, or connections. But dangers of this kind may be often eluded by flight—as there are few motives of local || attachment, at least from interested views—

‡ National poverty, as an elegant writer observes, is the means by which despotism, even when established, accomplishes its own destruction. When there are no longer any profits to corrupt, or fears to deter, the charm of dominion is broken, and the naked slave, as awakened from a dream, is astonished to find that he is free. The pasture of the cultivated field is no longer preferred to that of the forest. The sufferer willingly flies where the extortions of government cannot overtake him; where even the timid and servile may recollect that they are men; where the tyrant may threaten, but where he is known to be no more than a fellow-creature; where he can take nothing but life, and not even that, but at the hazard of his own. —Ferguson's Civil Society.

|| It is certain, says Thucydides, that the region, now known by the name of Greece, was not formerly possessed by any fixed inhabitants, but was subject to frequent transmigrations, as constantly every distinct people easily yielded up their seats to the violence of a larger supervening number. For, as commerce there was none, and mutual fear prevented intercourse both by sea and land; as then the only view of culture was to *earn a penurious subsistence*, and superfluous wealth was a thing unknown;

views—or else opposed by force. But with respect to the rich, their property and estates, which they cannot remove with their persons, fix them to a place, and are indeed the greatest security for their * submission and obedience. The rich, therefore, are induced by a greater number of reasons, to acquiesce under any form † of government, than those whose motives are merely personal.

The German and Gallic republics, described by Tacitus and Cæsar, were admirably calculated for preventing that debasement of spirit that arises from the accumulation of private property. The land there all belonged to the state, and a new portion was frequently cultivated in the place of the other; consequently, here was no room for accumulation, nor any opportunity for a prince, tyrannically disposed, to intimidate his subjects by ‡ fears of this kind.

Perhaps the same institution in the Spartan republic, was founded on the same grounds, especially as || Laconia is said to have been a very fertile country.

known; as planting was not their employment, it being uncertain how soon an invader might come and dislodge them from their unfortified habitations; and as they thought they might every *where find their daily necessary support, they hesitated but little about shifting their seats.*—Book i. Smith's Thucydides.

* Fertile provinces, when once they have submitted, the spirit of liberty cannot return. The wealth of the country is as a pledge of fidelity.—Spirit of Laws, book xviii. ch. 2.

† Strabo says, that the Scythians were unconquerable, and even unattackable, because they were possessed of nothing that could induce them to endure slavery.—Lib. viii.

‡ When they came to accumulate riches, and to account them matters of distinction, they lost their liberty. This was the case with the Sueones before described. The reason given by Cæsar for the division of the land among the Gauls is, that they may learn to avoid covetousness, the root of all factions and discord, and preserve that equality of riches in the commonwealth, that produces peace and content.—Cæsar, Comm. b. vi. c. 10.

|| Herodoti Clio.

Another

Another circumstance, highly favourable to incroachments upon liberty, is, that the rich are, in general, extremely averse to every thing that bears the appearance of what they call *disturbance*. With them, every emotion of a free people is esteemed a certain prelude to anarchy and confusion; and they immediately apprehend, that their own possessions will be the first prey seized by the riotous insurgent. But the advances to tyranny and arbitrary power cannot be checked but by resistance; and every resistance, accompanied by force, produces at least a * temporary disturbance. This the rich are in general disposed to discourage, not only from apprehension of danger to their possessions, but also from motives of pride, which the possession of large property, especially if suddenly acquired, is apt to inspire. Popular commotions, when successful, in the vindication of liberty, always produce (for a time at least) a degree of equality among the members of the state, and point out other means of acquiring influence and respect, than merely what is bestowed by riches. The cultivation of the mind then becomes a subject of attention, when it bestows distinction and power; and consequently, under such circumstances, the rich must see many equal or superior to them in these respects, who are far their inferiors in point of property; a thing extremely mortifying to those who have been accustomed to consider riches as the great source of respect and consequence. This often leads them to be favourable to the claim of an absolute power, rather than the privileges and rights of a free people: as they think themselves less degraded by submitting to one confessedly their superior in point of rank, than in admitting others, whom they esteem of an inferior degree, to a participation of the same privileges with themselves.

* A country that overflows with wealth, is afraid of pillage, afraid of an army. Who is there that forms this goodly party? says Cicero to Atticus, are they the men of commerce and husbandry? Let us not imagine that these are averse to monarchy—these, to whom all governments are equal, as soon as they bestow *tranquillity*.—*Spirit of Laws*, book xviii. ch. 1.

This was the case in a great measure in Spain, in the year 1520, with the nobility, who at first joined the commons in demanding the restoration of freedom, and of the ancient constitution; but as soon as their own separate demands were satisfied, not only abandoned the people, but took up arms to suppress their attempts in favour of liberty—in which they were but too successful. In a short period after, Charles and his successors were enabled to trample upon the privileges of the nobility, now destitute of support from the people, and to impose on them also the same yoke which they had been instrumental in imposing on the commons.

The barrenness or fertility of a country, in some respects influence the religion of it, at least the external forms and ceremonies. Thus a religion incumbered with numerous ceremonies, is almost necessary in a country of extreme fertility, in order to occupy the time, and to obviate that enormous corruption of morals, to which idleness, accompanied with great plenty of gratifications of the appetite, so naturally leads to. This is probably one great source of the morality of the Turks, and of the people of the East Indies. Every man, according to those religions, however cautious, daily commits some crime, or incurs some defilement, that needs repentance and expiation; consequently, their life is a series of ablutions, penitences, and purifications.

In countries, also, where the necessaries of life are easily procured, and almost spontaneously produced, a religion may be tolerated that is full of festivals, or days of cessation from labour; but in a barren country this would be insupportable, and starve the inhabitants. This is instanced in Mahomedanism, and in the sects of Christianity that live to the South of Europe, whose festivals are much more numerous than those of even the same sect in the North.

The influence of this circumstance is likewise discernible in the sacrifices or offerings to the gods. Whilst an hecatomb, or an hundred

dred head of cattle, were in some countries, and on great occasions, when any superlative honour was intended, sacrificed to the gods, it was a maxim at Athens, that those who offered some small present, as an egg, or such like, to the gods, honoured them more than those who sacrificed an * ox.

The same maxim was also in force at Sparta, where, though the territory was rich, agriculture was neglected. "We offer small things to the gods," say the Spartans, "that we may always have something to offer."

CHAP. III.

ON COUNTRIES RENDERED HABITABLE BY THE INDUSTRY OF MAN.

ANOTHER circumstance, relative to the nature of the country, is to be considered, as whether it be such as has been rendered habitable by the industry of man; and especially if it has been recovered from the water.

There are, as Mr. Montesquieu observes, principally three of this kind; the provinces of Kiangnan and ‡ Tchikiang in China, Egypt, and Holland.

* There was a law at Athens against killing oxen.—Ælian Variæ Hist. lib. v. —and Varro de re rusticâ, lib. ii. ch. 5.

Valens made a law, that no calves should be killed in the East.—Hieron. c. Jo-
vinian, lib. ii.

Oil was the staple commodity of Attica. Minerva, to whom the olive-tree was dedicated, was the patroness of Attica. A jar of oil was the prize at the Panathenæan games. Athenæus tells us, that the tributes of Attica were collected from the duties on figs, wine, and oil.—Lib. iii.

‡ *Tchi* signifies to govern; *Kiang* a river, in the Chinese language; Kiangnan, and Tchikiang, are the two most fertile provinces in the Chinese empire; and from their fertility, many of our ideas of the riches and fertility of the Chinese are derived.—
Du Halde.

The disposition of the people, in such countries, is turned to industry and frugality. The people of † Egypt have been celebrated from antiquity for these qualities. A similar account is given of the ‡ Chinese: and the same is well known to be the character of the Hollanders.

The constant necessity people in such a situation are under of attending to labour, for their preservation and safety, begets in them a habit of diligence || and exertion, to which also they are encouraged by several other inducements.

The soil of such countries is almost always very deep * and rich, and adapted to the production of several articles of great value in † commerce. Next, as such countries are, for the most part, intersected with canals, made originally for the purpose of draining the land, these are subservient also to trade and manufactures, by furnishing a water carriage into the internal parts of the country. Again, a country thus circumstanced, is thereby rendered more secure, both against foreign invaders and domestic usurpers, as the Dutch have several times experienced; a thing highly favourable to industry, and perhaps the only instance wherein the improvement of a country in point of value adds to its natural strength.

The internal government of such a country, however it may vary in form, is always moderate in its administration, and a

† Strabon. lib. xvii. — Diodor. Sicul. lib. i. Fragment. — Epist. Imperator. Adriani in Vopisco.

‡ For the frugality of the Chinese, see Du Halde, v. ii. p. 60, 100.—For their industry, v. ii. p. 86.

|| This habit of industry appears to be owing to the necessity of their situation, the nature of the country itself rather tending to inspire a contrary disposition. See what has been said on this subject, book i. ch. 23. § 2.

* Egypt and China are both extremely fertile.—Strabon. lib. xvii.—Plinii Hist. Nat. lib. xxi. cap. 15.—Athenæi, lib. v.—Du Halde.

† The Dutch raise madder, and several other commodities of great value, in higher perfection than can be afforded by any other country in Europe.

great regard paid to private property. The prosperity of all nations depends on their possessing a degree at least of liberty, and on the security of property: but in these it is necessary to their very existence as a people.

The situation in which they are placed, demands the most unremitting attention and industry, to preserve the land, gained from the water, from being again overflowed. But a despotic government naturally tends to dispirit the people, and to render them indolent and timid; and the insecurity of property, under such circumstances, is a farther bar to industry.

Thus, in the Low Countries, under the tyrannical administration of the duke of † Alva, the dykes became neglected, and were, in many places, broken down, and large incursions made by the sea. In China, also, where the size of the empire and the climate naturally lead to despotism, the first legislators were, in the provinces above-mentioned, obliged to make the most excellent laws, and the government is compelled to observe them.

The ancient government of Egypt was extremely moderate, as appears from Diodorus ‡ Siculus. In several respects, the kings were

† Watson's Hist. of the Reign of Philip II.

‡ The first kings of the Egyptians, says Diodorus, did not lead their lives in the usual way that monarchs do, by directing every thing according to their own will and caprice, and without regard to any censure or controul. For not only his public, but his private conduct also, were subject to fixt regulations; even his regimen of life, and his very food and diet.—Lib. i.

It is extraordinary, says the same writer, that the daily diet of the prince should not be altogether in his own direction, but still more so, that he can neither determine, nor do any thing, nor punish any, from caprice, resentment, or any other unjust cause, contrary to what the established laws have decreed.—Ibidem.

See also Note to book i. ch. 17. § 3.

It appears probable, also, from Strabo, that the Roman government of Egypt was more mild and equitable than that of the provinces in general. The judicial power there appears to have been separated from the legislative and executive; a circumstance of the highest consequence to liberty.—Strabo, lib. xvii.

were under greater restraints than their subjects; and private property was strictly guarded against the incursions of arbitrary power. Even at present, although under the Turkish government, the power is necessarily moderated: as it was formerly in the Insula || Batavorum, and is at present in the same place, now called Holland; which nature has created to attend to herself, and not to be abandoned to negligence or to caprice.

CHAP. IV.

OF THE EFFECTS OF THE GREATER OR LESS PROBABILITY OF THE SUCCESS OF THE CROPS WHEREWITH THE LAND IS SOWN.

IN this article I allude principally to rice, which is subject to great uncertainty in respect to its produce. This is undoubtedly a calamity, as it produces frequent famines. But, on the other hand, it has some influence in moderating the severity of the government. This is instanced particularly in China*, which, like all countries that feed upon rice, is subject to frequent distresses of this kind.

The Egyptians are called a free people, in a letter of Adrian, preserved by Vopiscus.—Life of Saturninus.

It seems that the Egyptians were very obstinate in refusing to pay tribute. “Erubescet apud eos, si quis non infitendo tributa, plurimas in corpore vibices ostendat.”—Amm. Marcellin. lib. xxii. cap. 16.

|| “Manet honos & antiquæ societatis insigne; nam nec tributis contemnuntur nec publicanus atterit: exempti oneribus & collationibus & tantum in usum præliorum sepositi, velut tela atque arma bellis reservantur.”—Taciti Germania, cap. xxix. de insulâ Batavorum loquens.

* Spirit of Laws, book viii. ch. 21.

When

When the people are pressed with want, they disperse, in order the better to procure sustenance; in consequence of which, gangs of robbers are formed over the country. Many of these are dispersed on their first appearance; and others after having been for some time assembled. But in a disturbance so general, it is not improbable, that some of these bodies may meet with success. If this happens, they march to the capital, and place their leader on the throne. From the nature of things, a bad administration is here immediately corrected. The want of subsistence *, in so populous a country, admits of neither excuse nor palliation, such as is usually held out to allay the ferments of the people on other occasions. Abuses here are instantly redressed, as the prince is informed of them in a sudden and sensible manner, which applies directly to the safety of his crown and person. He knows that if his government be not good, he will be deprived both of empire and † life.

* In China, there are not only public granaries, but every family is required by law to provide a stock against a scarcity. Was this provision to be discouraged, by tyranny or arbitrary power, or by checking industry in any manner whatsoever, a rebellion must ensue.

A bad crop in Egypt, a country which resembles China in several respects, was formerly apt to produce revolutions in the government. “*Veteri ritu potestate deposita removetur (rex) si sub eo fortuna titubaverit belli, vel segetum copiam negaverit terra, ut solent Ægyptii casus ejusmodi suis assignare rectoribus.*”—Ammian. Marcellin. l. xxviii. cap. 5.

† The mobs, says Du Halde, are very dangerous in China, especially when provoked by famine. They once compelled the emperor to hang himself.—Vol. i. p. 89.—and p. 401.

C H A P. V.

EFFECT OF THE NATURE OF THE COUNTRY ON SOME
LOCAL LAWS OF RELIGION.

THE nature of the country has likewise some effect in producing some local laws of religion, which are not, I think, strictly reducible under any of the foregoing heads.

Thus the deification of cattle in Egypt, and the East Indies, was well adapted to the nature of the country, as well as climate, where they were so serviceable, and which yet admitted of but a slow multiplication of them.

The same respect paid to the Ibis *, in Egypt, was imputable to obvious causes of a similar nature, it being of such service in clearing the country of the water reptiles, left by the inundations of the Nile. A law, therefore, for their preservation was very natural, and could not be so universally enforced, as by making it a precept of religion. The people of Holland have, at present, a degree of religious veneration for storks, on a similar account.

The respect paid by the Egyptians to the cat, the ichneumon, the † hawk, and the eagle, was for reasons of a like nature.

* The Ibis, says Herodotus, is highly revered both by the Arabians and the Egyptians, on account of its destroying venomous animals.—Herodotus, book ii.

The Ibis, says Diodorus Siculus, is of the greatest service in freeing the country of snakes, locusts, and palmer-worms.—Lib. i.

The Egyptians not only paid a superstitious veneration to the Ibis, when alive, but also embalmed this, and other birds, as the hawk, when dead.—Diod. Sic. lib. i.

Many mummies of birds are found to this day in Egypt.

† The Hawk, says Diodorus Siculus, destroyed scorpions, the horned serpents, called Ceraftes, and venomous animals, whose bite is mortal to the human race.—Lib. i.

The want of sufficient and wholesome food for the hog, in Arabia and Palestine, was probably amongst the reasons why this food was proscribed by the legislators of those countries.

An ancient law of the Gaurs in Persia, prohibited the sailing upon rivers. The cause of this would not easily be comprehended, but was really derived from the nature of the country. Polybius † tells us, that it was customary in Persia to divide the streams of rivers as much as possible, in order to water the soil in that dry country; and as a number of rivulets flowed from Mount Caucasus, they spared no expence in diverting the course of their streams. The intent of a law, then, which tended to discourage the use of a river, as a collected body of water, is too obvious to need explanation. Many more religious precepts, of a similar kind, might, without doubt, be produced.

† In these parts, says Polybius, no water is ever seen above the surface of the ground. But through the whole of the desert, there are many subterraneous wells and streams, which are known only to those who are acquainted with the country. The account which the inhabitants give of these, is true: that the Persians, when they were masters of this part of Asia, gave to those, who brought a stream of water into places in which there was none before, the free inheritance of the ground for five generations; and that the natives, encouraged by this advantage, spared no labour or expence to bring the water, which flows from Mount Caucasus, in many large streams, through subterraneous channels, to a very great distance; so that in the present times, those who use the waters, know not the beginning nor the course of the channels through which they flow.—Book x. ext. 4.

The saint, in the Magian religion, is obliged to beget children, to plant useful trees, to destroy noxious animals, *to convey water to the dry lands in Persia*, and to work out his salvation, by pursuing all the labours of agriculture.—Gibbon's Decline of the Roman Empire, p. 206. quoted from the Zendavesta.

BOOK IV.

On the Influence of Population.

THE greater or smaller number of inhabitants in a country, in proportion to its extent, is an active cause in influencing the people.

CHAP. I.

GREAT POPULATION.

WHERE the numbers are very great, and fully adequate to the consumption of the product of the country, even when fully cultivated, as was probably the case formerly in * Egypt, and is at present in China, it contributes very powerfully to form the disposition and manners.

* Egypt, says Diodorus Siculus, was formerly the most populous country in the known world; and is, at this day, inferior to none.—Lib. i.

The

The ancient Egyptians were * active, industrious, frugal, intriguing, greedy of money, addicted to † commerce, ‡ thievish, and fraudulent. They were also || timid, mean, and cowardly. All these qualities are inherent, to a great degree, in the ** Chinese. Even the extensive commerce which they carry on, which with us is known to require so great a regard to honour and justice, is not able to make them honest. This seeming paradox is well explained by Mr. Montesquieu, with respect to China, which is equally applicable to †† Egypt.

The political objects which the Chinese legislators had in view, were, that the people should be peaceable, and submissive, and industrious, and laborious, especially in what relates to agriculture. The subsistence of the inhabitants is, from the nature of the soil and climate, very precarious; and the consequence of its failure, from the great numbers who are to suffer by it, extremely dangerous; it is therefore necessary to secure a maintenance for the people by all possible means; which indeed are principally labour and industry. No check, therefore, upon these, must at any rate be admitted. This maxim, which is here a fundamental one from necessity, causes the morality of China to differ in its principles from ours. It is an established rule in that country, that every one should, at any rate, be attentive to his own interest, and promote it by any means in his power, violence excepted. Fraud, therefore,

* Genus hominum seditiosissimum, vanissimum, injuriosissimum; civitas opulenta, dives fecunda, in qua nemo vivat otiosus. Alii vitrum conflant; ab aliis charta conficitur; alii lyniphiones sunt; omnes certe cujuscunque artis et videntur et habentur. Podagrosi quod agant habent; habent cæci quod faciant; ne chiragrici quidem apud eos otiosi vivunt.—Vopisci Saturninus.

† Diodori, lib. i.

‡ Ibidem, Diod. Sicul.

|| Maximi Tyrii Diff. xiii.

** Du Halde, vol. ii. p. 63, 86, 90, 100.

†† Egypt is similar in many respects to China, as being recovered from the water, and as being extremely populous.

is not regarded as a crime, and only looked on as an instance of a man's * genius and attention ; and indeed, as there is no confidence on either side, is not, in a moral view, so criminal as it would be with us, where a breach of trust usually accompanies the injury. If the cheat has been watchful over his own † interest, the dupe ought to have been no less attentive on the other side. This permission to practise fraud in China, nearly resembles the permission to steal in Sparta and in † Egypt : and was allowed, in both countries, on a similar ground, that of rendering the people alert, vigilant, and industrious.

The same reasons that have rendered the Chinese tricking and knavish, have also caused them to be timid, mean, and cowardly ; to which indeed the rigid police and absolute form of government greatly contributes.

In consequence of this disposition of the people, the state of China, though highly populous, and provided with riches, and all the implements of war, is in reality weak and insignificant : and although its size, distance, climate, and situation, together with some prudential maxims in policy—such as the not permitting Europeans to have any ‡ settlements in their country—have hitherto, and probably always will, prevent its being a conquest to any European power, it is by no means an object of dread or apprehension to any, even for those settlements that lie at the greatest distance from Europe, and in the neighbourhood of China.

Indeed, the distance of China from Europe, by sea, and its being surrounded with almost impenetrable deserts by land, has been its

* It is an established rule among the Chinese, that the buyer is to give as small a price as possible for what he buys, and nothing if he could help it ; and e contra. It is not, say they, the merchant who deceives ; it is the buyer who deceives himself.
—Du Halde, vol. ii. p. 91.

† Diod. Sicul. lib. i.

‡ Macao is an exception ; but this is only a small place, situated in an island, and entirely in the power of the Chinese : and, moreover, belongs to one of the European states, perhaps, at present, the least likely of any to make foreign conquests.

greatest security; since foreign invasions have given repeated examples, that in case of danger to the state, among all their doctors of war and of policy, among the millions set apart for the military profession, none of its members can be found, who are fit to stand forth in the dangers of their country, or to form a defence against the inroads of an † enemy reputed to be artless and mean: so great is the influence of a servile principle in debasing the minds and courage of mankind. Some species of corruption, however, luxury ‡ particularly, can have no place in a country of this kind, for very obvious reasons. The lands, although cultivated to their utmost extent, are scarcely sufficient for the maintenance of the inhabitants, consequently no part of the country can be suffered to be in a state which does not furnish subsistence to man; no animals can be admitted, that are not either of domestic use, or contribute to the cultivation of the land; and besides, the great waste and idleness, always incident to luxury, would be totally incompatible with the œconomy and industry which is absolutely necessary to the daily support of the people.

Civility of manners and behaviour are much cultivated in such countries, owing to the great population, which makes it necessary to encourage, by every method, peace and tranquillity. The Chinese || would have people filled with a veneration for one another, that each should be every moment sensible of his dependence on

† Le Compte's History of China, on the policy and government of the Chinese.

‡ Even the king of Egypt was obliged to use a very simple diet, and to drink a certain quantity only of wine.—Diodor. Sicul. lib. i. sect. 2.

The Chinese, says Du Halde, never prefer the agreeable to the useful, or to fill the ground with useless things, as to make parterres, cultivate flowers, and plant walks; they think every spot should be planted with useful plants.—Father Le Compte gives the same account.

It is observed in China, that whenever the Court has become luxurious and indolent, a revolution has certainly followed.—Du Halde.

|| Du Halde, vol. iii. p. 157.—Le Compte on the policy and government of the Chinese.

society, and of the obligations he owes to his fellow-creatures; they therefore gave rules of the most extensive civility. What the late Lord Chesterfield applied to courts only, they extend to all mankind, that ceremony in behaviour is requisite as the *outwork* and defence of manners.

Literature and science, though not entirely excluded, appear to have made but moderate progress amongst a people in such a situation, nor is it likely they ever should.

The Egyptians, says Diodorus Siculus, teach literature very sparingly, and not all kinds of it, but principally such as refer to the * mechanic arts. On this account they cultivated the studies of † arithmetic, geometry, astronomy, and the prophylactic part of medicine; but made little account of the ornamental accomplishments, as music, &c.

The Chinese have followed a similar course. Much has, indeed, been said about their learning and knowledge; but most of this boasted superiority terminates, on enquiry, in being able to read and write.

Consonant hereto are most of the productions which are acknowledged to be of that country. Some moral precepts for the conduct of life, a few books on agriculture, government, industry, and the rules of behaviour, constitute the greatest part of those works of their's with which we are acquainted.

The practical parts of agriculture, somewhat of astronomy, and some branches of the mathematics, are, however, much cultivated amongst them.

The attention of a people thus circumstanced was so much engaged with the government and peace of the country, and the means of providing for the subsistence of the people, that it had little to bestow on subjects which were not immediately directed to these

* Diod. Sicul. lib. ii. § 2.

† Ibidem.

ends. The institutions of Sparta gave a professed contempt for whatever was not connected with the practical virtues of a bold and resolute spirit; the Chinese cultivate no knowledge that does not contribute to the quiet of government, or the support of the inhabitants. The rigid police, also, under which they live, has a great effect in cramping genius, and discouraging freedom of thought, without which literature can never make any great progress.

A great degree of population in some measure influences the laws.

The object of the law, in a country highly populous, is nearly connected with the policy of the state. Their bent, therefore, is directed to the providing for the maintenance and peaceable behaviour of the people under that government. It is requisite, for this purpose, to encourage industry by all means, and to render the people active, and disposed to take advantage of every occurrence. Hence some frauds either escape under connivance, or very mildly censured, which are in other countries severely punished. Thus theft in † Egypt, under certain circumstances, was not only slightly regarded, but even encouraged, and regulated by the law, which also pointed out a method by which the goods so stolen might, on paying a certain proportion of their value, be recovered by the owners; a transaction which, in our country, is made felony, and punished with death.

† The Egyptians, says Diodorus Siculus, have a certain law concerning thieves, which is very extraordinary. He who is desirous to practise this method of life, registers his name with the head or chief of the thieves, and engages to bring every thing that is stolen directly to him. Those who have lost any thing, send an account of it to these people, specifying each article, with place, the day, and the hour when the loss was suffered. In this way the goods are recovered again, the owners paying one fourth of the value to the thieves. As it was impossible, adds the historian, to prevent them from thieving, the legislator invented this method of recovering the property again, with a deduction of such a part only of its value, as was paid for its redemption.—Diod. Sic. lib. i.

Fraud

Fraud and cheating, in China, provided it be not accompanied with force, is little regarded by the law, from a principle mentioned before, of rendering the people watchful, provident, and attentive to their own interest by all means; which they might fear would be checked by too nice a scrutiny into the justice of every transaction. But whether, considering China as a commercial country, this be not a mistaken opinion in point of policy, I shall not determine.

But in some instances, a great degree of population has not only superseded the laws of morality, but even of nature herself. When mankind multiply beyond a certain degree, their comparative value is diminished || with respect to the state. If this multiplication proceeds, each individual becomes of no value, and even an incumbrance. Hence, in China, a father is allowed to sell his daughters, and to expose his children. In Tonquin, the same causes produce the same effects. In all probability, a similar custom prevailed, in the earliest times, in * Egypt, and for the same reasons. Even Aristotle was of opinion, that where the exposing of children was not allowed, the number of those actually produced ought to be † limited: if they have beyond the number prescribed

|| Sir William Petty, in his calculations, computes, that a man in England is worth what he would sell for at Algiers. This can be only true, as Mr. Montesquieu observes, with respect to England. There are countries where a man is worth nothing; there are others where he is worth less than nothing.—*Sp. of Laws*.

* The story of Moses being exposed on the banks of the Nile, renders it probable that this custom was in use in Egypt very early. Children are now exposed, on the river of Canton, exactly in the same manner that is related of Moses.

Josephus says, that the Egyptians call water by the name of *Mo*, and such as are saved out of it by the name of *Ufes*. This seems to intimate that this method of exposing children was not then uncommon.—See Josephus's *Jewish Antiquities*, book ii. ch. 9. § 6.

† All population must be understood as proportioned, not to the extent of country only,

prescribed by the law, he advises to make the women miscarry before the foetus be † formed.

But the above unnatural permission has been thought, with great reason, like most such, to have had an effect directly opposite to what was intended, and to have rather increased than diminished the population of the country. This it has done by encouraging marriage. The parents are induced to marry, from having these means of relief in view; and when the offspring is produced, parental tenderness interposes, and the children are preserved.

It appears, however, from || Diodorus, that Egypt, in the times he describes, though at that period excessively full of people, was not esteemed to be over populous. That * writer tells us, that the Egyptian priests married one wife, and the other people as many as they pleased; and that they educate or rear all the children, from the notion of the numbers of people contributing to the well-being and prosperity of the state. It is also mentioned, that pregnant women, in Egypt, were not allowed to be executed; as is the case with us also.

Spurious children also, in Egypt, were equally regarded with those born in matrimony; which seems to have been instituted with the intent of increasing the population of the country.

I am inclined to believe, that a great population is apt to make the laws more severe in some instances. Thus in China idleness is a crime; and in India, we are told by Strabo, that it was capital to lame an artificer in the hand, or to put out or blind him of an eye; which was not so penal if done to any other person. These laws originated from the necessity of universal industry in

only, but also to the capacity of the ground to maintain them: Attica, therefore, being barren, might be very populous in this view, though its numbers were not great.

† Aristot. *De Republica*, lib. vii. cap. 16.

|| Lib. i.

* Ibidem.

such countries. A great degree of population naturally produces a rigid and exact police. The danger of sudden disturbances and insurrections, in a populous country, both to individuals and to the state, point out the necessity of repressing them as quickly as possible. Thus we are informed by † Strabo, that in India the regulation of the police constituted a principal part of the attention of government, and was extremely rigid and exact.

Diodorus ‡ Siculus mentions, that in Egypt this was carried to a great length, insomuch as to assign even a capital punishment for the suffering, or not preventing, an offence against the peace.

The regulations at present in force in China are of a similar nature; every man there is a kind of security for the good behaviour of his neighbours, and thus made to partake, in some measure, of their guilt, as a punishment on his neglect in not preventing its taking place.

There are, besides, in China, some persons, who, being especially intrusted with the care of the conduct of others, are particularly answerable for it: thus fathers ||, in China, are responsible for the conduct of their children, and liable to be punished for their misbehaviour, even with death. This circumstance, I suppose, is one great cause of the high respect and obedience paid to parents in China, since it would be absurd to make the parents answerable for the conduct of those over whom they had not the power of controul. Parental authority also, by the subordination it inculcates, is extremely well fitted for maintaining a regular police.

† Lib. xv.

‡ If any one shall see another murdered in the highway, or violently attacked, and shall not go to his assistance, if it be possible for him to give it, he shall undergo a capital punishment; if, however, the person present cannot, through infirmity, give any help, he ought still to discover and prosecute the robbers; if he neglects this, he is punished with a certain number of stripes, and with being kept from food for three days.—Lib. i.

|| Du Halde, vol. ii. p. 44.

In countries of this kind, the administration of justice is always by stated laws, or at least rules. Where the people are excessively numerous, frequent disputes must necessarily arise, which require for their decision tribunals of justice; which are obliged to decide in an uniform manner, both to prevent the increase of litigation—which, in so populous a country, would be infinite, if a new law was to be made upon every occasion—and also to preserve the regularity of the police, by giving to every individual a fixed and known rule for his conduct and behaviour in society.

Another reason for the stability and uniformity of laws in such states, is deduced from the necessity there is of encouraging industry in every rank of life, and indeed in every individual, in order to maintain such a multitude of people. If the property of every man was not esteemed tolerably secure, he would scarcely be disposed to pay that attention to labour which is there necessary for * the subsistence of the people. Thus we are told by Diodorus, that in Ægypt †, the greatest regard was paid, both to the formalities of justice, the best means for the discovery of truth, and the uniformity of decision.

I am inclined to believe, nevertheless, that the formalities of law amongst such a people are both few and short. Diodorus, indeed, mentions several stages of proceeding in the litigation between the

* As China grows every day more populous, notwithstanding the exposing of children, the inhabitants are incessantly employed in tilling the lands for their support. This requires a very extraordinary attention in the government. It is their perpetual concern, that every man should have it in his power to work, without the apprehension of being deprived of the fruits of his labour.—Sp. of Laws, book viii. ch. 21.

† In the middle of the images in the sepulchre of Osymandua, says Diodorus, is that of the president of the court of justice, with many books lying by him, and the figure of Truth, with her eyes shut, hanging from his neck. By this is implied, that it is the duty of judges to accept no presents, but to regard truth only.—Diodor. book i. p. 31.

See note to book i. ch. 17. § 3. of this work.

parties in Egypt; but it is likely that all of these seldom took place, and probably they were but short in themselves, as we are expressly told that all rhetorical ornament, and application to the * passions was excluded, and nothing but the naked fact, and, perhaps, the law arising from thence, allowed to be discussed. The mode of trial, likewise, by the † oath of the defendant, which was allowed in all matters that were by simple contract, and without any written testimony, was very short, and took up but little time. The formalities of law in ‡ China are, likewise, very few in number, as well as the laws themselves, and it seems to be the intention of the government, probably for this reason amongst others, to discourage || litigation as much as possible.

The mode of trial most consonant to such a state, I apprehend to be by judges, who determine on the law and fact, and, indeed, upon the whole merits of the cause at once. This is the most expeditious mode of decision, and on that account most likely to be adopted. This was the form of trial in ** Egypt formerly, and is so at present in China.

I am inclined to believe, also, that a great degree of population tends to multiply capital punishments. As the importance of each individual to the state is diminished—which is the case in a numerous society—the legislators have become more careless of their preservation, and less scrupulous in inflicting the punishment of death. Thus, in Japan, where the population is immense, several crimes are capital, which in other countries are scarcely animadverted by the laws. The increase of population also, in our own country, has probably been the principal cause of the increased severity of our penal laws, which was remarked so many

* Book i. p. 48.

† Book i. p. 50.

‡ Du Halde, vol. i. p. 269.

|| Strabo seems to hint as if this was the intent of the Indian legislators, lib. xv.

** See book i. ch. 17. sect. 3. note.

* years ago.—China and the East Indies are, however, exceptions to this observation; but this I take to be owing to particular circumstances. The necessity that there is in China for regularity of police, and for the insuring to every man the fruits of his labour, prevent very † rigorous executions of justice; and in India, the nature of the food, of which I shall speak hereafter, inspires a disposition that is adverse to sanguinary punishments. A great degree of population has also a considerable effect upon the customs, several of which are connected with what has been before mentioned as the object of government.

Thus it was formerly a custom in India, as we are told by Strabo ‡, that at the beginning of the new year, the kings and philosophers of the country met together, and those who had made any pertinent remarks, either relative to the fruits of the earth or to animals, were rewarded with an exemption from tribute. At present, in || China, the Emperor performs an annual ceremony of opening the grounds. Several of the kings ** of India do the

* *Nec vita hominis interea charior sed abjectior.*—Spelman Gloss. p. 350.

† For the reason before given, of the necessity of encouraging industry in China, few of their punishments affect property; but corporal punishments are very common. Mr. Helvetius remarks, “that the despotism of China is, according to some authors, very moderate, of which the abundance of their harvests is a proof. In China, as well as every where else, we know, that, to make the earth fertile, it is not enough to compose good books of agriculture, but that there be no law which opposes cultivation; therefore the taxes in China, says M. Poivre, do not amount, on indifferent lands, to more than one-thirtieth of the produce. The Chinese, therefore, enjoy their property almost entire: their government, consequently, in this respect, is good; but is it so with regard to the property of their persons? The habitual and enormous distribution they make of the strokes of the bamboo proves the contrary. It is their arbitrary punishments that, doubtless, debases their souls, and makes of almost all the Chinese, a knavish merchant, a cowardly soldier, and a citizen without honour.”—Helvetius’s *Treatise on Man*, translated by W. Hooper, M. D. 1777.

‡ Lib. xv.

|| Du Halde, tom. i. p. 72.

** La Loubiere *Descr. of Siam*, p. 69.

same,

same, and a similar custom prevailed in * Peru; which function in that country was very politically dignified, by denominating it the triumph of the Prince or Inca, who boasted to be descended from the sun, over the earth.

From what has been before observed of the effect of a great degree of population upon the laws, it appears, that the form of government must necessarily have a considerable admixture of † liberty, or at least of moderation in the exercise of power. The ancient government of Europe, as has been before observed, was extremely moderate; and the restraints, even of a personal kind, upon the prince, were in some respects more rigid than upon any of his subjects. In China, indeed, the power of the emperor is ‡ unlimited;

* Robertson's America, book vii.

† Cato the Censor seemed to think, that a kingly government was inconsistent with great population, from his calling kings, men-eaters, or destroyers of men.—Life of Cato the Censor by Plutarch.

‡ “ This power, however, attached to the imperial dignity, absolute as it is, finds a restraint which moderates it in the very laws which establish it. It is an innate principle with them, that the whole state is one great family, and that the prince ought to have the same regard for his subjects that a father of a family has for his children; and that he ought to rule over them with the same tenderness and affection. This idea is impressed naturally on the minds of all the Chinese. They judge of the merits of the prince, and of his talents, from his paternal affection to his people, and by the care he takes in letting them feel its good effects in the promotion of their happiness. He is called by them the parent of his people. He is only feared in proportion as he is respected for his goodness and virtues. These are the lines in which they describe their great emperors, and their books are all full of the same maxims. Thus, according to the general idea of the nation, the emperor is obliged to enter into the most minute detail of every thing that regards the people. It is not for his pleasure that he is raised to the supreme rank. He ought to make it his amusement to fulfil the duties of an emperor, and by his tenderness, application, and vigilance for the good of his subjects, merit the name of parent of his people. If his conduct is not conformable to these ideas, he falls into the most sovereign contempt. Why, say the Chinese, has Heaven set him upon the throne, but to serve as the parent of his people? Another restraint which the laws have put upon

mitted; that is, there are no fixed bounds annexed to it: but then he is necessitated to exercise this power in a certain manner. Should his edicts tend to destroy or weaken any part of the system of government, or police, the inconvenience would be immediately felt, and he would be compelled to alter his measures, in order to preserve his own authority. The regular administration of justice, the exact police, and, above all, the absolute necessity there is for encouraging industry—which can never be done but by rendering property secure—are all bars to despotism and tyranny.

An excessive population, in some respects influences the religion of a country, and supercedes the disposition naturally inspired by the climate. When the numbers are increased to such a degree as in China, it becomes necessary, in order to their maintenance, to promote industry by religious, as well as political or moral precepts. There were formerly in China, as well as in the other eastern kingdoms, great numbers of monasteries of Bonzes, an idle kind of religious devotees, who contributed nothing to the public by their industry. But when the population of the country increased, it became necessary to change the genius of the religion, from one that favoured * indolence, to one that encouraged activity. It was then adopted as a religious, as well as a political

the sovereign authority, in order to restrain any prince who may be tempted to abuse this power, is the liberty which is given to the Mandarines to represent, in the most humble and respectful manner, the faults which he has committed in the administration of the state, and which are contrary to good order and a wise government. If he disregards these, or shews any resentment against those who offer them, he would lose all reputation with his subjects; who would extol that Mandarin who had sacrificed himself for his country; and his memory would be regarded highly by posterity. Many of these martyrs for the public good, are to be found in the Chinese histories.”—Du Halde, vol. ii. p. 15.

See also Le Compte's account of the Policy and Government of the Chinese.

* The sects of Fo and Lao, which hold a void, and nothing, as the principle and termination of all things, and encourage idleness and inactivity, are detested among the Chinese,—Du Halde, vol. ii. p. 336.

maxim,

maxim, that if there was a man who did not work, or a woman that was idle, somebody must suffer cold and hunger in the empire. And upon this principle, a vast number of monasteries of Bonzes were destroyed.

From an attention to the maintenance of the inhabitants of a highly-populous country, religion has been even made to publish dictates inconsistent with nature and humanity. Thus the religion of the Isle of Formosa † does not suffer the women to bring children into the world before they are thirty-five years old. If they are pregnant before that time, the priestesses, by bruising the belly, procures abortion.

CHAP. II.

SMALL POPULATION.

A Very small ‡ degree of population produces an opposite effect in most respects. I am apt to believe, that a people under such circumstances would be inclined to an indolent disposition. Labour and industry are originally produced by necessity, and improved by habit; but in a country thinly inhabited, the || spontaneous produce suffices for the maintenance of the people; and consequently, necessity has but little power in exciting industry. This was probably one cause of the idleness of the ancient Ger-

† Collection of voyages that contributed to the establishment of the East India company, Vol. i. part. 1. page 182 and 188.

‡ As a country very thinly inhabited, at least in the degree here supposed, is, for the most part, in a savage state, it is difficult to distinguish, in many instances, to which of these causes, the effects I have mentioned are more particularly to be referred. In all probability, they both concur in the same general effect, in many instances.

[Cibi simplices, agrestia poma, recens fera, & lac concretum.—Taciti Germania.

mans, and of the North American Indians at present. But of these qualities, more in another place.

The temper of such a people is generally undefining and generous. As subsistence is easily procured by every one, and luxury is unknown, the wants of each individual are few, and easily satisfied. Hence, there is little art and cunning, as there is no temptation to employ them. Property is but little known, and less esteemed; consequently, the corruption arising from venality can have no place. As they can have no inducement to dissimulation, they are open and * communicative in their tempers; though this circumstance varies in different nations.

Affection and personal regard are carried to a great length among a people of this description. The mind, unembarrassed by motives of vanity, † property, and interest, has its force concentrated on the proper object of its attachment, the human species. The mutual dangers and successes, the wants and distresses, which they undergo in company with one another, together with the instances of generosity and assistance, which in such critical situations must often be reciprocally afforded, among a people few in number, and all united in one course of life, cannot fail to excite the ardour ‡ of friendship, and create a degree of attachment unknown to any, but those who have experienced similar situations.

* *Gens non astuta, nec callida, aperit adhuc secreta pectoris licentia loci.*—Tacitus.

The Gauls, also, were very communicative and inquisitive.—Cæsar.

This character, however, is most suited to the European nations; the North Americans being very reserved, and great masters of dissimulation.

† Private property is unknown among the American Indians.—Carver's Travels, p. 247.

‡ Friendship appears to have been much cultivated among the ancient Germans. Tacitus tells us, that it was necessary to adopt the enmities, as well as the attachments, of those with whom we were connected; and describes, in a short but pathetic manner, the concern expressed for their loss.

“*Lamenta & lacrymas cito; dolorem & tristitiam tardè ponunt.*”—Taciti Germania.

in life. Hence, probably, the devoted friendship of Theseus and Pirithous, of Pylades and Orestes, and perhaps of Achilles and Patroclus, in ancient history; and the excess of this species of regard, which prevails at present among the American Indians. What tended, likewise, I apprehend, to enhance the value of these mutual services, was, that they were done freely, and without any expectation of a return; and also, that they proceeded from personal interposition, often attended with great hazard to those by whom the service was conferred. This naturally created esteem, gratitude, and affection, on the one hand, and a high degree of the last of these passions on the other. Protection as naturally creates a love to the object on which it is bestowed, as it does gratitude and attachment in the person who has received the obligation; and these regards are greatly heightened, if this happens by personal interference. We all know how naturally we grow fond of animals that apply to us, and court our protection, or which we have, by accident, preserved from danger and distress: and it is a great mark of Fielding's discernment in human nature, to represent Mr. Allworthy taking such an affection to a foundling child, from the circumstance that he himself was personally concerned in its preservation ||.

The members of a community that are but few in number, are, for similar reasons, more * attached to their society or state, than

|| Homer was extremely fond of painting scenes wherein the heroes were concerned in doing some personal service to one another. Thus Nestor is rescued by Diomedes, Teucer by Ajax, Ulysses by Ajax and Menelaus. Nestor administers the remedies with his own hands to Machaon, when wounded; and Patroclus dresses the wounds of Eurypylus. A similar disposition reigns among the American Indians. Mr. Carver tells us, that in dangers, they readily give assistance to any of their band who stand in need of it, without any expectation of return, except of those just rewards always conferred by the Indians on merit. The very disinterestedness of these actions must be very powerful in kindling the fire of friendship.

* In their public characters, as forming part of a community, they possess an attachment for that band to which they belong, unknown to the inhabitants of any

than when they are more numerous. In large societies, the views and interests of one part or body of them are often inconsistent with or opposite to those of another; which causes a degree of relaxation of that attachment, which is the bond of union amongst them.

But in a state consisting of but few members, the whole of the people form but one body; consequently, their views are the same, and therefore likely to be pursued with greater unanimity and perseverance, and, instead of dividing, tend to draw the tie of mutual attachment still closer. Another cause why in such situations the love of their country or society is more predominant, is, that they are not interested for their community merely as a body, but also for the particular persons that compose it.

In a large and numerous body, the individual is lost in the croud; but in a small number, his connections are comparatively more extensive, and he becomes of importance in his private character, and thinks himself a † personal sharer both in the glory and misfortunes of his country; and is, of consequence, more anxious for its welfare and prosperity. This was, no doubt, one great cause of the devoted patriotism of the Grecian states, and indeed

any other country. They combine, as if they were actuated by one soul, against the enemies of their nation; and banish from their minds every consideration opposed to this. They consult, without unnecessary opposition, or without giving way to the excitements of envy or ambition, on the measures necessary to be taken for the destruction of those who have incurred their displeasure. No selfish views ever obstruct their consultations, or influence their advice. Nor is it in the power of bribes, or of threats, to diminish the love they bear to their country. The honour of their tribe, and the welfare of their nation, is the first and most predominant emotion of their hearts; and from hence proceed, in a good measure, all their vices and virtues. Actuated by this, they brave every danger, endure the most exquisite torments; and expire triumphing in their fortitude, not as a personal qualification, but as a national characteristic.—Carver's Travels, p. 412.

† It is very properly observed by Dr. Gregory, that love of a country, and of a public, cannot subsist among men who neither know nor love the individuals that compose that public.—Gregory's Comparat. View.

of

of the Roman, during the first ages of the republic; and has no small efficacy, at present, in exciting the same passions among the North American Indians.

Bravery and fortitude are likewise, in general, qualities which mankind possess under such circumstances. These are, indeed, always esteemed, and held as the principal point of honour, wherever mankind have not been greatly corrupted. But the peculiarity of such a situation has caused many of the maxims and tenets, relative to this point, to be very different from those of other countries, wherein the numbers are more abundant. This is instanced, in a high degree, among the North American Indians before spoken of. The smallness of the number of this people, has caused them to set a particular value on the life of each member of their society. Thus it is with them a principle of honour, in war, to preserve life as much as possible, and to do the greatest mischief to the adversary, with the least * hazard to themselves. They deem it folly to expose their own persons, in assaulting the enemy; nor do they rejoice in victories that are stained with the blood of their countrymen. They do not value themselves, as in Europe, upon defying their enemy upon equal terms. They even boast, that they approach like foxes, or that they fly † like birds,

* The Indians think that there is little glory to be got by attacking their enemies in the open field. Their greatest pride is to surprise and destroy. They seldom engage, without a manifest appearance of advantage. And they esteem it the greatest qualification of a chief warrior, to be able to manage an attack so as to destroy as many of the enemy as possible, at the expence of a few men. — Carver's Travels, p. 311.

† Among the ancient Germans, who were, like the North American Indians, a nation of warriors, and few in number, to give way in battle, was no disgrace, but rather a mark of military skill, provided the attack was renewed.

‡ “Cedere loco, dummodò rursus instes, consilii quam formidinis arbitrantur.” — Taciti Germania.

Some tribes of the ancient Germans, the Aarii particularly, made use of similar arts in war with those practised by the North American Indians, in order to do the

birds, not less than that they devour like lions. In Europe, to fall in battle is honourable; in America, it is disgraceful; it indicates that a man had not been sufficiently careful of his life, which was not only of importance to himself, but to the state. But the torments these people willingly endure, and even solicit, when fallen into the enemy's hands, prove, that their courage and resolution are, in a high degree, eminent.

The same reasons which make nations, in such circumstances, so careful of the lives of their own people, occasion their wars to be carried on apparently with a great degree of cruelty. Their object in war is to distress a state, by destroying or captivating the people who compose it; and by this they judge of their success. They do not, therefore, release their prisoners, as we do in Europe, to return and strengthen their party or society, but either put them to death, or adopt them into their own nation; which last circumstance proves, that the destruction of them was not so much from motives of cruelty, as with a view of distressing the adverse state. But what shall we say to the horrid cruelties with which prisoners of war are treated in these countries, when an easier death would have answered the same purpose? This is difficult to explain. It appears as if it was the opportunity they desire, to try their fortitude; as the maxims they pursue in war, and their point of honour, are so different from ours, as has been before mentioned, and afford no room for the display of that courage and magnanimity which they possess in so eminent a degree. It is certain, that no hatred or personal resentment is intended by it. They observe the point of honour in the applica-

the greatest damage to the enemy, with the least possible injury to themselves. *Cæterum Arii super vires, quibus enumeratos paulo antè populos antecedunt, truces, insitæ feritati arte ac tempore lenocinantur. Nigra scuta, tincta corpora, atras ad prælia noctes legunt: ipsaque formidine atque umbrâ feralis exercitus terrorem inferunt, nullo hostium sustinente novum ac velut infernum adspectum.— Taciti Germania, cap. xliii.*

tion,

tion, as well as in the bearing of their torments ; and, by a strange kind of regard, were directed to be most cruel, where they intended the highest respect. The coward was put to immediate death by the hands of the women; the valiant was supposed to be entitled to all the trials of fortitude that man could invent or employ.

It is observable, that it is the warriors only—who are distinguished by the marks on their breasts and arms—that suffer in the most cruel manner, that of being put to death by fire. This is esteemed a mark of respect due to their prowess, which it would be highly cruel to deny them ; and even the sufferer himself, by no means wishes to decline the trial ; and even excites his tormentors to make his tortures as severe as possible, in order that he may have a greater opportunity of displaying his fortitude in enduring them. One of these, Mr. Carver || tells us, when in the last struggles of life, and no longer able to vent in words the indignant provocation his tongue would have uttered, even then a smile of mingled scorn and triumph sat on his countenance.

Literature * and science, it may be well expected, could have no place among a people of this description, as they are, for the most part, in a savage state. But with respect to some of the arts of life, as those of hunting and fishing, and also in the art of war, they are far from being defective. But of this more in another † place.

As to laws, a people under circumstances wherein property was nearly unknown, could have need of but few. In such a state, the vindication of a right, or the redress of an injury, is considered more as a private affair, than as a public concern. Some crimes, however, which affect the public interest, or tran-

|| Carver's Travels.

* *Literarum secreta viri pariter ac foeminæ ignorant.*—Taciti Germania, cap. xix.—The same is true of the American Indians.

† Vide book vi.—on the Way of Life.

quillity, are, even in nations of this description, thought worthy of a public animadversion. Thus Tacitus tells us, that the ancient † Germans punished some crimes with death; but it should be remarked, that these were very few in number, and only such as denoted, that those who committed them were either enemies to the state in general, or useless or disgraceful to it. The same maxim which governed their mode of making war, was respected in the law, which was derived from the value of a man in a small society. They thought that the life of an individual was too precious to be sacrificed for petty infractions of the duties of society, and justifiable by necessity only.

Hence the laws are much less sanguinary in countries of small, than in those of || great population. A small degree of population, if I mistake not, has some effect in influencing the forms of justice and mode of trial.

Thus the trial, in a small society, appears to be naturally before the people at large: as it is of consequence, that each individual, where he is of so much weight, should be satisfied with the justice of the sentence; and also, in order to collect sufficient force to put it into execution. This is the more necessary, in proportion as the crime is the more heinous, and the punishment more severe. Thus, among the ancient Germans, it is probable that capital accusations could only be prosecuted before the great council of the * nation, whilst smaller crimes were adjudged by persons

† Our Saxon ancestors, probably for this reason among others, were extremely cautious of inflicting the punishment of death.—Wilkins Leg. Saxon. passim.

|| Probably, for this reason, among others, the Scotch have been, and still are, more averse to capital executions than the English.

* Licet apud concilium accusare quemque & discrimen capitis intendere. Distinctio poenarum ex delicto: proditores & transfugas arboribus suspendunt; ignavos & imbelles & corpore infames cæno & palude, injectâ supercrate, mergunt. Diversitas supplicii illud respicit, tanquam scelera ostendi oporteat dum puniuntur flagitia abscondi. Sed & levioribus delictis pro modo poenarum equorum pecorumque numero convicti mulctantur;

persons of rank chosen and deputed by that assembly. These deputies were, however, attended by a large number of persons, selected by the people, who assisted them with their advice and authority.

The customs also, as well as the laws, of a nation, are capable of being influenced by the smallness of the population. This is instanced in the practice of hospitality, a custom always most prevalent in countries thinly peopled. This has arisen partly from necessity, in order to facilitate the passage of strangers, who, without it, must of course perish; and also from the natural love of society incident to our nature, which affection is always * strongest where it meets with the least gratification. In confirmation of this, Tacitus informs us, that, among the ancient Germans, † hospitality was held in the highest esteem: every one received the stranger with such entertainment as was suitable to his circumstances in life; and to deny entrance to any one was held to be sacrilege. The entertainer, when exhausted, carried his guest to the house of his next neighbour. They never waited for invitation; nor was it of consequence to be invited, as they were received either way with equal welcome. No one made any distinction, with regard to hospitality, between an acquaintance and a stranger. The ‡ North American

multantur; pars multæ regi vel civitati, pars ipsi qui vindicatur vel propinquis ejus exsolvitur. Eliguntur in iisdem conciliis et principes, qui jura per pagos vicisque reddunt. Centeni singulis ex plebe comites consilium simul et auctoritas adfunt.— Taciti Germania, cap. xii.

* The history of Robinson Crusoe is a fine and pathetic picture of the force of these sensations.

† *Convictibus et hospitibus non alia gens effusius indulget. Quemcunque mortuum arcere tecto nefas habetur, pro fortunâ quisque apparatus epulis excipit. Cum defecerit, qui modo hospes fuerat monstrator hospitii et comes. Proximam domum non invitati adeunt: nec interest, pari humanitate accipiuntur. Notum ignotumque quantum ad jus hospitii nemo discernit.— Taciti Germania, cap. xxi.*

‡ No people are more hospitable, kind, and free than the Indians; they will readily share, with any of their own tribe, the last part of their provisions, and even

American Indians practise hospitality in a manner equally liberal, and with little more distinction of the persons who share in the entertainment.

The form of government, in states thinly inhabited, is mostly republican, and frequently accompanied with a high degree of || liberty. This results from the circumstances before mentioned. Property being little esteemed, corruption can have no place. The interest of the whole body of people being nearly alike, and the number few, one part of them cannot be employed to oppress the other. They are also, in general, all of them armed; and, consequently, in a condition to resist force with force. These, probably, were the principal causes, though not unconnected with others, of the free condition of the ancient Germans, and of the North American Indians at present. It is difficult to say what power the kings of the former possessed. Tacitus tells us, that it was limited considerably: the king having no power to confine, to inflict corporal punishment, or even censure, upon any one, at his will or discretion; or indeed in any case whatever. In respect to the making of laws, every freeman was considered as sharing in the legislative power. The people prescribed the limitations themselves were to obey. They marched armed to the national assembly, to judge, to reform, and to punish; and the magistrate and the sovereign, instead of controuling their power, were to respect, and to submit to it. What then was left for the office of the prince? Probably little more than a precedence in point of rank; and the convenience of having some person to give authenticity to public transactions, as treaties, &c.

Even in their armies, the command of which is generally with those of a different nation, if they chance to come in when they are eating.—Carver's Travels, p. 265.

The Icelanders too are extremely hospitable.—Letters on Iceland, p. 89.

|| This is to be understood of independent states, and not of such as are held in subjection to, and as provinces of, a large empire.

thought

thought to require an uncontrouled direction in the general, the Germans preserved a great degree of republican government, the military leaders being divested of all power to enforce their orders; which were regarded more from a respect to their example or * character, than their authority.

The resemblance of the modern North American Indians is in these respects very great. The † sachem, among them, is at the head of the civil state: and his assent is necessary in all conveyances and treaties; to which he affixes the mark of the tribe or nation. This dignity, which seems to correspond with that of the king ‡ among the ancient Germans, is also, like that, hereditary. But besides this, every band or nation has a chief, who is called the great chief, or the chief warrior: who is || *eleſted*, in consideration of his experience in war, and his approved valour, to direct their military operations, and regulate all concerns belonging to that department. This dignity answers to that of the ** generals (duces) of the ancient Germans, who, Tacitus tells us, were *eleſted* by the people.

* Duces exemplo potius quam imperio, ſi prompti, ſi conſpicui, ſi ante aciem agant, admiratione præſunt.—Taciti Germania, cap. vii.

† Carver's Travels.

‡ Reges ex nobilitate, duces ex virtute, ſumunt.—Taciti Germania, cap. vi.

This is underſtood to mean, that the kingly office was hereditary, and that of the generals elective.

|| Carver's Travels.

** Cæſar ſays the ſame of the military leaders in Gaul, book vi. ch. 22.

The Saxon *dukes* or *heretochs* were likewise elective.

Iſti vero viri *elgebantur* per commune concilium, pro communi utilitate, regni per provincias et patrias univerſas, et per ſingulos comitatus in pleno *folcmote*, ſicut et vicecomites provinciarum et comitatum *eligi* debent. Ita quod in quolibet comitatu ſemper fuit unus heretochius *per electionem eleſtus* ad conducendum exercitum comitatus ſui, &c.—Leg. Edouardi Confeſſ. cap. 35. ſub titulo De Heretochiis.—Vide etiam Gloſſ. Du Cange, et Spelmanni Gloſſ.—The election of the heretochs or generals, by the people at large, was not peculiar to the Saxons, but in common with the other German nations.—Boior. LL. tit. 2. cap. 1. § 1.—Spelm. Gloſſar. vox Heretochius.

But

But, as a late ingenious † writer observes, though the above two are considered as the heads of the band, and the latter is frequently denominated their king, yet the Indians are sensible of neither military nor civil subordination. Every expression that carries with it the appearance of an injunction, or absolute command, is sure to be rejected with scorn. Among them, no visible form of government is established; they allow no such distinctions as magistrate and subject, every one appearing to enjoy an independence that cannot be controuled. The highest titles, says Mr. Adair, among the Indians, either in military or civil life, signify only a chieftain. They have no words to express despotic power, or arbitrary kings. The power of their chiefs is an empty sound. They can only persuade, or dissuade, the people. It is reputed merit alone that gives them any titles of distinction.

I do not recollect any peculiar effects that a small population has upon religion.

I have thus spoken of the influence of population, when in either extreme; as for the intermediate degrees, they have no particular or specific effects, in the respects above mentioned, so far as I am acquainted.

† Mr. Carver.

BOOK V.

On the Influence of the Nature of Food and Diet.

THE various kinds of food and diet used by different nations have also a considerable influence in several of the above-mentioned respects. But in order to explain this, it will be necessary to say a few words of the effects of the different kinds of food upon the human body.

Food may be considered in several lights: as, first, with regard to its consistence, as *solid* or *liquid*, or meat and drink. I shall speak of these separately: and first of *solid* food.

CHAP. I.

ON SOLID FOOD.

SSOLID food is divided into animal and vegetable; and that of a mixed kind—as cheese, fish, eggs, &c.

But here it is proper to remark, that there is no nation, or set of people whatever, that live entirely upon either animal or vegetable food; but all use, in some measure, a mixture of both. The East
Indian

Indian brachmans, who are said to live on a vegetable diet, eat milk, which is partly of an animal nature; and the abstinence they practise appears to be too rigid for even so hot a climate, as they are mostly meagre, weak, and sickly, labouring under a * constant diarrhœa, and several other disorders. On the other hand, the Laplanders are said to live on animal food only; but this is contradicted by Linnæus, who says, that besides milk, which they also take sour, they use some of the species of arum of the marsh, trefoil, and other plants, very copiously; so that there is no instance of any nation living entirely on either of these diets, though there are several which vary the proportion of them respectively. When, therefore, we speak of a people living † on either animals or vegetables, we mean that they use one or the other of them considerably in the larger proportion.

S E C T. I. *Animal Food.*

Animal diet is greatly more nutritious than vegetable: both as containing a greater quantity of nourishment, and as this || nourishment is more easily extracted.

* “ Absque carnibus summa debilitas et corporis et ventriculi, et diarrhœa perpetua solet molesta esse.”—Halleri primæ lineæ Physiolog. § dcxlii.

† It is obvious to every one who examines the human frame and constitution, that mankind were intended by nature for a mixed diet of animal and vegetable substances, in every climate and situation, notwithstanding the proportions of these to each other may vary according to circumstances. Man is furnished with teeth of the incisor and canine kind, like the carnivorous animals; and with a double row of molares or grinders, like the herbivorous. His stomach approaches to the carnivorous, and his intestines are of a middle length, between them and the herbivorous animals. But I would trust more to instinct, producing practice, abstracted from artificial opinions; and here we find the use of animals and vegetables promiscuously.—Vide Cullen’s Mat. Medica.—Halleri Physiolog. lib. xix. sect. 3. § 2.—and Arbuthnot on Aliments.

‡ Halleri Physiol. lib. xix. sect. 2. § 7.

Animal

Animal food also, by its adding greater weight, and by its filling the vessels, and thereby giving a proper degree of tension for the performance of strong oscillatory motions, gives greater strength to the * body.

It not only gives out nutriment more plentifully, but also supplies a fluid more dense and elastic, and with a greater quantity of † red globules than vegetables do; which is also more stimulant, both causing a greater resistance to the solids, and again exciting their stronger action. From its greater stimulus, also, it is more perspirable than vegetable food, and tends to preserve a more equal balance between the excretions.

Animal diet, however, although it be highly nutritive, and gives great strength to the ‡ body, yet, in consequence of its stimulus to the stomach and system, is rather dangerous. || Hippocrates long ago observed, that the athletic habit was, from a small increase or irregularity, subject to great hazard; and that it is only proper for those who use much bodily labour. It also loads and oppresses the body, and requires the constant repetition of a fever to throw it off; which tends greatly to wear out the constitution.

These properties are more remarkable in the flesh of wild than of tame animals, probably from the former being more exercised; in the carnivorous than in the herbivorous; in the old than in the young; in such as are eaten ** raw than in those that are dressed with

* The Athletæ of old lived upon animal food almost altogether.—See Athenæus and Galen.

Robur majus est ab eo alimento.—Haller, l. xix. sect. 2. § 7.

† Robur enim pendet ab eo reparato quod est amissum, atque copia rubrorum globulorum, et a tenacitate glutinis fibrarum.—Haller, ibidem.

‡ Ipsa animalia carnivora pro natura sua plus habent virium.—Haller Phys. l. xix. sect. iii.

|| De Diæta.

** Dudum est annotatum eas gentes robustissimas esse, quæ carnibus et iis crudis vivunt, ut Tartaros, Brasilianos, Esquimanticos, tum venatores quos diximus.—Halleri Physiol. ibidem.

with fire; and in such as are killed in the blood *, than in such as are bled to death.

From this account, something may, perhaps, be gathered, explanatory of the effects of animal food upon the mind, disposition, and conduct.

The strength afforded by animal food naturally suggests a degree of confidence, which as naturally produces courage and resolution.

This may be the cause why animals that feed upon a flesh diet are more fierce and courageous than those who live upon † vegetables.

But this effect is not merely to be ascribed to secondary causes, as I am convinced that animal food has a direct tendency that way. Carnivorous animals are more fierce and daring, as well as more strong and active, than the herbivorous: and this holds true, not only of quadrupeds, but of birds and fish also. The people of cold climates are more courageous than those of warm; and this difference is owing, in no inconsiderable degree, to the greater quantity of animal food they take in.

This tendency of animal food appears to be increased in proportion, in some measure, to the prevalence of the same causes that

No carnivorous animals are at present used in diet among the Europeans; but Hippocrates mentions the flesh of the dog and of the fox, in his Treatise of diet, and the Romans reared rats for the same purpose. We know, however, that the Romans used to feed the rats on vegetable food only, and possibly the foxes and the dogs might be fed in the same manner among the Greeks. Some of the late discoverers in the South Seas mention, that the dogs there used in food were fed on vegetable diet. Dr. Shaw, however, says, that lion was eaten at Algiers, and that it tasted like veal.—Shaw's Travels.

* “Those animals which are most exercised, and fullest of blood, have their flesh the most nutritive and strengthening.”—Hippocrates de Diætâ, lib. ii. sect. 20.

† Maximus Tyrius observes, that the most timid animals support themselves on vegetable food; the most fierce and daring by hunting. The stag lives on herbs; the lion on prey caught in the chase.—Dissertat. xiii.

rendered

rendered it more nutritive and strengthening. Thus the flesh of wild animals is more stimulant than that of tame; and hence, perhaps, the great ferocity of some beasts of prey. A dog fed upon * raw victuals is much more fierce and rapacious than one that eats them dressed. From this proceeds the great ferocity of butchers dogs; and the tendency of this food to render them mischievous is remarked in those that are apt to kill sheep, which, after having once tasted the raw flesh, are with great difficulty reclaimed.

Wolves also, lions, tygers, &c. probably owe their superior fierceness in a good measure to their food, which is always raw, and killed in the † blood, and mostly of the wild kind. The same holds good of ‡ mankind. Those || nations who live by hunting, are in general of a cruel and daring disposition; which is probably owing, in no small degree, to their feeding upon ** flesh in the state above-mentioned. The same is true of some other

* Thucydides observes, that the Ætolians, whom he describes as a people remarkably bold and warlike, fed upon raw flesh, lib. iii.—Ammianus Marcellinus says the same of the Hunns:—"In hominum autem figurâ licet insuavi ita visi sunt asperi, ut neque igni neque saporatis indigeant cibis, sed radicibus herbarum agrestium et *femicruda* cujusvis pecoris carne vescantur."—Lib. xxxi. cap. 2.

† Most of the savage animals are peculiarly greedy of blood, and, where that is to be had in plenty, never regard the solid part of their prey. The weasel and polecat will kill great numbers of fowls at one time, to suck their blood only; and the same is true of the fox.

‡ Pomponius Mela mentions it as a custom of the Scythians to suck the blood of their enemies killed in battle. Lib. ii. cap. 1.—Ammianus Marcellinus gives the same account of the Saracens, lib. xxxi. cap. 16.—and Mr. Carver, of some of the American Indians.

|| The opinion of different foods differently affecting the mind and disposition, is ridiculed by Mr. Pope; but is, nevertheless, to a certain degree, founded in truth.—See Memoirs of Martinus Scriblerus, chapter iv.—See also Prior's Alma, Canto iii.

** Mihi utique videtur quemque populum aratorem mitiorem esse, deinde pastorem; ferocissimos populos venatores esse, qui solis pene carnibus vivunt.—Halleri Physiolog. lib. xix. § 3.

nations that live in a roving state, as the * Tartars and Arabs, which have been, by turns, the conquerors both of the northern and southern parts of the world.

The effects of animal diet upon the understanding and intellects are next to be considered. It appears evidently to be adverse to the exertions † of genius, sentiment, and the more ‡ delicate feelings; and also for deep mental researches. This may be accounted from the plethora, and distension of the vessels, which is induced by animal diet, and the load which it lays on the digestive organs and powers of the body. This is indicated by the indolence, dullness, and yawning, which a full meal of animal food almost always brings on. But I know not if this kind of aliment, by the firmness and tone of fibre, and the consequent steadiness and resolution which it conveys, be not better adapted to the common business of life, than a diet which produces a greater

* Albinus nostri ævi physiologorum facile princeps de rei veritate convictus affirmabat carnem vel *crudam*, vel modicè coctam cibi loco sumptam robur hominibus audaciamque addere. Gens Tartarorum belli gloriâ insignis, quæ omnes fere orientis terras olim in ditionem suam redegerat, solâ fere carne, eaque *crudâ*, nutriebatur.—Zimmerman Zoolog. Geograph. cap. i. § 21.

It may, perhaps, be objected, that the northern nations, who lived in a great measure upon animal food, were, notwithstanding, humane and mild in their conduct and behaviour; but the same people, when transplanted into a warm climate, and probably preserving their former customs with respect to diet, became very cruel. Thus the Goths and Vandals were very savage in their treatment of the conquered people; and the same holds true of the Tartars. Where much sensibility is combined with great ferocity, it forms the ingredients of cruelty. Perhaps the studied inhumanity of the American Indians may be partly owing to this cause. The mode of life among the northern nations produced no such effect in their native country, as it was there obstructed by the power of the climate.

† “To eat a large quantity of food, and that of the animal kind, destroys the powers of reason and of reflection, and renders the powers of the understanding more slow and heavy.”—Theophrast. Philos. lib. 5.

‡ Dogs of the chase, that feed much upon animal food, raw flesh particularly, lose their accuracy of scent of the game. Perhaps this may be one cause why beasts of prey, in general, have no scent of the animals they pursue.

degree

degree of sensibility. Man is formed more for action than for contemplation; for bodily exertion more than mere mental researches; and the firm and tense fibre, which is adapted to the former, is inconsistent with the delicacy of sensation necessary for the latter. It is not, however, to be disputed, that the most valuable state of the mind is somewhat of a medium between the two.

From the above account of the effects of animal food upon the mind, it might be imagined that it might have some effects upon the form of government; and this appears often to be verified by experience. Most of the nations that preserve a degree of * liberty live upon animal food; and although there are instances of absolute governments among nations that use this diet, yet this has not been uniform, nor is it so abject as among those who live upon vegetable aliment.

The effects of animal food upon religion are not, I apprehend, sufficiently marked to be distinct, at least in any material instances. Some religious precepts, however, relate hereto; and it is probable from thence, that the respective legislators imagined that the diet had some connection with religion. I have taken notice of some of these in another † place.

S E C T. II. *Vegetable Food.*

This, I have before remarked, is much less nutritive than animal food, inasmuch as to be scarcely sufficient, when rigidly followed, for the support of life in the human species. In consequence hereof, it is far less strengthening ‡, and produces, in general, a

* Maximus Tyrius extends this observation to brute animals.—*Dissertat. xiii.*

† See chapter i. on Climate.

‡ Sæpe tentavi victum vegetabilem ob podagram, ob bilem putrescibilem quæ faciebat ut carnes non ferrem absque agrypnia. Semper sensi debilitatum universum corpus; ad laborem, ad venerem invitius.—*Halleri Physiolog. lib. xix. sect 3.*

more spare habit of body ; which is probably owing, not only to its containing less nutriment, but also to the acidity which prevails in all vegetable substances, which, it is very well known, tends much to check the * disposition to increase in bulk. Some compensation is, however, made for vegetable foods being less nutritive, by its being capable of being taken in much larger proportion than animal. In hot countries, the climate renders several fruits safe, and even necessary, in such quantities as would be highly dangerous with us. People in Persia will eat at once, at least in twenty-four hours, the quantity of thirty-five † pounds weight of melon ; which would, in our climate, either by its bulk, or refrigerating qualities, be extremely dangerous. But vegetable food is not only necessary to be taken in larger quantity, on account of its being less nourishing, but in order to compensate by its bulk, and the distension it occasions, for its want of stimulus to the system. It has been found, that the filling of the stomach with victuals to a certain degree, at stated intervals, is necessary, not only to supply the waste of the animal body, but also to communicate a degree of tension to the nervous and muscular systems. Now animal food is less necessary to be taken in large quantity, on account of its stimulus, which of itself communicates a degree of tension. But the vegetables chiefly used in diet, and such as are of the nutritious kind, are nearly insipid, and, of consequence, require a large bulk to be taken, in order to accomplish the same purpose by their mechanical operation.

It appears, however, that notwithstanding the greater quantity in which vegetables may be taken, they still require some stimulus to be joined with them, in order to render them fit for the purposes of aliment. This is very bountifully bestowed by nature in those

* Vegetable diet is found to have great effects in reducing obesity.—Medical Observations, vol. v.

† Chardin's Travels into Persia, book iv. p. 51.

climates where vegetable food is most used, and consists of pungent aromatic plants, which though of themselves nearly || destitute of nourishment, correct the bad qualities, and supply the defects of those vegetables that are more nutritious.

From the above properties of vegetable diet, and perhaps from some others more specific, it is found to render those who feed upon it less bold and courageous than those who use animal food.

This I take to be the principal cause why the people of the East Indies are so cowardly, and so easily conquered. Mr. Montesquieu ascribes this to the climate; but this cannot universally produce this effect, as we know that there are several nations under the same parallels of latitude with the * East Indies, that are extremely fierce and bold. This is the case with the inhabitants of the East Indian islands, as those of Ceylon, Borneo, Japan, and several others. This difference is more probably to be ascribed to the inhabitants of the continent using a vegetable diet, whilst those of the islands live † on animal food. The same causes that tend to inspire timidity, tend also to infuse a great degree of mildness and ‡ gentleness into the mind and disposition. The native

|| Quæ plantæ aromaticæ sunt ex omnino parum faciunt ad alendum.—Halleri Physiolog. lib. xix. § 3.

* The Mahomedans, in the East Indies, who eat animal food, as well as the Malays and the Marattas, are not a cowardly people. Their character is a direct contrast to that of the Hindoos, who feed on vegetables. "The strong lines," says an elegant writer, "in the character of a Hindoo, are effeminacy and avarice. Those of a Tartar, cruelty and ambition."—Letters from the East Indies, p. 197.

† The people of the continent, in the time of Diodorus Siculus, lived on vegetables altogether, whilst the people of the islands eat animal food.—Diodor. Sicul. book ii.—Kæmpfer says, that the Japanese eat animal food very plentifully.

‡ In general, cowardice and cruelty are found united. But in the present instance, the case is otherwise. Vegetable food is so adverse to ferocity of disposition, as to overpower the natural tendency of cowardice.

people of the continent of India, according to all the accounts, both ancient and modern, have always been mild ||, tender, and compassionate. These qualities, as well as the foregoing, are, by Mr. Montesquieu, ascribed to the climate. But their neighbours, the inhabitants of the islands, are by no means of this description; and the Japanese, who live in the same latitude with a great part of the Indies, are of a cruel, obstinate, and perverse temper. This difference, as well as the former, is more probably owing to a difference of diet. This conjecture is rendered more probable, from the analogy of the effects of vegetable food on * brute animals. Even the fiercest of these, lions, for instance, have had their ferocity greatly abated, and have been rendered tractable and docile, by being fed upon vegetable food. And Dr. Arbuthnot mentions, that several instances had fallen under his own observation, of irascibility of temper, in the human species, being subdued by a vegetable regimen.

A vegetable † diet, by keeping the passions within due bounds, is an admirable preservative of the purity of morals.

Whilst the people of the East, in general, are immersed in debauchery, profligacy, and all kinds of ‡ wickedness, the natives

|| Diodor. Sicul. lib. ii.—Strabo, lib. xv.—Bernier, tom. ii. p. 140.

* Arbuthnot on the Nature of Aliments, chap. vi. prop. 8. § 22.

† It is natural, says Strabo, for people, who live on a moderate and simple diet, to be very regular and just in their conduct. Lib. vii.

‡ The profligate manners of the East are finely described and inveighed against in the sacred writings, particularly by the prophet Ezekiel. Those of Babylon are strongly pointed out by Quintus Curtius:—"Nihil urbis ejus corruptius moribus, nihil ad irritandas illiciendasque immodicas voluptates instructius, liberos conjugisque pro stupro coire; modo pretium flagitii detur, parentes maritique patiuntur."—Lib. v. cap. 1.

Xenophon, in the seventh book of the Institution of Cyrus, speaks of the impiety, the injustice, the corruption, and the practice of poisoning one another, among the Asiatics.

of India are regular in their conduct, and just and merciful || in their dealings.

A diet of this kind is, in the main, very favourable to the mental faculties.

Vegetable aliment, as is well observed by a great * writer, as neither distending the vessels, nor loading the system, never interrupts the stronger action of the mind; while the heat, fullness, and weight of animal food, is adverse to its vigorous efforts. The great degree of bodily strength, and consequent tense fibre, produced by animal food, is also inconsistent with that delicacy of sensation, which is the parent of liveliness of imagination, quickness of apprehension, and acuteness of judgment. This latter state of the mind is, however, liable to be carried too far, and then it becomes subject to timidity, fluctuation, and doubt, which render it unfit to manage the more important and active scenes of

|| Homer extols the justice and virtue of the feeders on mares milk, which may in a good measure be looked upon as a vegetable aliment.

And where the far-fam'd Hippemolgian strays,
Renown'd for justice, and for length of days;
Thrice happy race, that, innocent of blood,
From milk innoxious seek their simple food.

Pope's Homer, book xiii.

See also Strabo, l. vii.—and Ammianus Marcell. lib. xxiii. c. 6.

Diodorus Siculus tells us, that certain officers were appointed in India, called the guards or guardians of strangers, who take especial care that they receive no injury. If any stranger is sick, these officers provide them with physicians, and every other necessary; and if they die, take care of their funeral. Whatever is left of the stranger's effects, is carefully preserved, and restored to the relations of the deceased.—Diodor. Sicul. b. ii.

His (Arymphaeis) justissimi mores: nemora pro domibus; alimenta baccae.—Pomp. Mela. l. ii. cap. 22.—A similar account of them is given by Herodotus and Solinus.—Arrian remarks the adherence of the East Indian people to truth.—Hist. Indie, liber.

* Cullen's Materia Medica.

life; which require steadiness of judgment and firmness of resolution.

That, however, a vegetable diet is favourable to many exertions of the mind, is proved in several practical instances. Gamesters—whose minds must be always on the watch to take advantages, and prepared to form calculations, and employ the memory—constantly avoid a full meal of animal food; which they find incapacitates them for play, nearly as much as a quantity of strong liquors would have done; for which reason, they feed chiefly on milk and vegetables.

The great Sir Isaac Newton was so sensible of this effect of animal food, that, during the time of his writing his treatise on Optics, which is generally thought to be the work wherein his genius displayed itself in its fullest force, he lived on a * vegetable diet only, and that extremely simple and rigid. The same regimen is said to have been followed by several of the Greek philosophers distinguished for wisdom, as Pythagoras, Zeno, and several others. This diet is probably no small cause why the nations, who inhabit warmer climates, are, in general, endued with a more † lively apprehension and exalted imagination, than those who live in cold countries; as in the former the diet is principally vegetable, and in the latter, animal. As, however, the most valuable state of the mind is a medium between a great degree of sensibility, and a defect of it, a moderate proportion of animal food is not inconsistent with this, but rather tends to promote it.

The above-mentioned effects of vegetable food, have also had their influence on the form of government and laws. The tendency of this kind of diet, as of every thing that generates timidity,

* Cheyne, Diseases of the Body and Mind.

† Sensus etiam Brachmannis accuratiores esse legas.—Halleri Physiolog. l. xix.

and irresolution in the people, is to produce an absolute government. A free state is with difficulty preserved, even where the people are resolute, active, and vigilant; much less can it be maintained under an opposite disposition. Thus we see the few free states that at present exist, are among those people who use a large proportion of animal diet; and that those countries, where tyranny is the most firmly rivetted, and, as it were, interwoven into the constitution, are where the people live, in a great measure, upon vegetables; such as the East Indies, Persia, and several other of the eastern kingdoms.

The same causes, however, that here produce this form of government, prevent its being, in general ‡, tyrannically exercised. The sovereign is equally disposed to a mild government, as his subjects are to an unlimited obedience. And what renders the situation of the people greatly preferable to what it is in many despotic, and some free governments, is, that domestic || slavery is unknown among them.

The mildness of the government of India may be judged from the laws, which breathe the same spirit, and appear to be owing to the same cause.

‡ See the account of the pastoral kings of Egypt, by Diodorus Siculus.

|| "This is remarkable in India," says Arrian, "that all the people are free, and that there is not a slave among them."—Hist. Indie.

Diodorus says, that it is provided by law, that no one among them should be a slave; but that each man being free, should preserve an equality with his fellow-citizens.—Diodor. Sicul. book ii.

Mr. Montesquieu, in a note to chap. 15, book xiv. of the Spirit of Laws, says, that Diodorus has here ascribed to the whole continent of India, what, according to Strabo, belonged only to a particular nation. But Strabo gives no opinion about it, but only says that Megasthenes declared it to be a general custom of the country, whilst Onesicritus said it was peculiar to the Musicanis.—Strabon. lib. xv. p. 710. edit. Casaubon. Lutetiae, 1620.

In most of the other parts of the East, despotism and domestic slavery walk hand in hand.

The legislators of India are said to have placed great confidence in the people. They established very few severe punishments, and those are not * rigorously executed. They have subjected nephews to their uncles, and orphans to their guardians, as in other countries they are subjected to their fathers. They have regulated the succession by the acknowledged merit of the successor. They seem to think, that every individual ought to put an unlimited confidence in the good intentions of his fellow-subjects. This disposition of the inhabitants, has made the consequences of their being conquered by their neighbours less dreadful than might be imagined; since in no case does such a conquest terminate, as among the stubborn natives of Europe, in the destruction of what the love of ease and pleasure had produced.

This was observed by † Diodorus and ‡ Arrian; and is the case at this day.

It is, however, to be apprehended, that their European conquerors have not pursued the same moderate conduct.

The people of Japan, on the contrary, who live also under a despotic government, are not trusted in the smallest degree, either by their legislators or magistrates. They set nothing before

* Vide the Code of the Gentoo Laws, published by the East India Company.

† “Among other nations, says Diodorus Siculus, the country is laid waste by the invasion of an enemy; but among these, the husbandmen remain sacred and inviolable, insomuch that they do not apprehend any danger from the neighbourhood of armies and engagements. For each of the contending armies do, indeed, fight with and slaughter each other, but by no means injure the cultivators of the land, who are considered as persons to whom both parties have mutual obligations. They, therefore, do not lay the enemy’s country waste, by burning the houses and destroying the woods.”—Diodor. Sicul. book ii.

‡ “If intestine wars break out in India, it is esteemed impious to attack the husbandmen and lay waste the country. The military part of the people carry on the war, and destroy one another as they find opportunity; but the husbandmen apply themselves quietly to their labour, whether it be ploughing the vintage, the dressing of trees, or the getting in the harvest.”—Arrian Hist. Ind. liber.

their

their eyes, but judgments, menaces, and chastisements. Every step they take is subject to the inspection of the civil magistrate. Those laws, which, out of five heads of families, establish one as a magistrate over the other four; those laws which punish a family, or a whole ward, for a single crime; those laws, in fine, which find no one innocent, where one may happen to be guilty, are made with a design to implant into the people a mutual distrust; and to make every man the inspector, witness, and judge, of his neighbour's conduct.

The above masterly picture of the latter people, is drawn by the President Montesquieu; and that great man seems to ascribe this difference to the climate. But I have before remarked, that the climate of Japan differs very little from that of a great part of India. Is it not more likely to be owing to the difference of diet ||, and perhaps some other circumstances with which we are unacquainted? The Japanese, according to Kämpfer, eat a large proportion of animal food, which, by imparting strength and fierceness, to unite with the sensibility inspired by the climate, may produce that ferocious, daring, implacable, and bloody disposition for which they are so remarkable, and which runs through their system both of laws and government.

The people of * Mexico, who used animal diet in a large proportion, and part of it raw, and dwelt at the same time in a hot climate, were of a disposition similar to that of the Japanese, being bold, cruel, and revengeful, as appears by the resistance they made

|| Zimmerman attributes the superior ferocity and cruelty of the brute animals, that inhabit the torrid zone, to their animal diet, joined to the greater heat of the climate.

Observationem tamen non exigui momenti, hoc loco commode addendum puto; pleraque nimirum animalium genera, quæ carne vivunt trucisque & sævioris ingenii sunt, sub flagrantissimo solis æstu, lustra sibi sua condidisse, quod ipsum quidem ex nimio domicilii sui calore provenire vero est simillimum. — Zimmerman. Zool. Geogr. p. 600.

* Robertson's America, vol. ii. p. 302, 4to ed.

to the Spaniards, and the barbarous manner in which they treated their prisoners, and their human sacrifices. It also argues a disposition extremely savage, in a people who had attained a considerable degree of civilization, to eat the flesh of their fellow-creatures, as they are reported to have done †.

Vegetable diet appears to have imparted a great degree of mildness to religion, and from the same cause. We do not find, among such a people, any instances of cruelty in religion; of human sacrifices, or of gods delighting in blood, or in the destruction of mankind. It is probable, that the religious toleration that prevails through the Indies, is owing to the same cause. That people, although passionately attached to their own religious sect or persuasion, allow still, that future happiness is not confined to their own followers. The people of Siam ‡ never dispute about religion. At || Calicut, it is a maxim of state, that every religion is good. Compare these tenets with those of the Japanese, and even of the Mahomedans.

S E C T. III. *Of the effects of fish as a food.*

Fish are next to be considered; which are thought, with great probability, to hold a kind of middle * rank between animals and vegetables. They are, in general, less putrescent, and also less nutritive, than flesh-meats, and produce also less red blood and strength of body. This is experienced in countries of the Romish persuasion, where the bulk of the people, during the season

† Robertson's America, vol. ii. p. 310, 4to ed.

‡ Forbin's Memoirs.

|| Pirard's Travels, chap. xxvii.

* Porro piscium, natura inter vegetabilia & animalia ambiget. — Halleri Physiol. lib. xix. § 3.

of lent, live upon † fish; and also among the Banyans in the East.

From this account, fish, as a diet, might be supposed to produce a middle effect between animal and vegetable food; and this, in general, appears to be true. Some peculiar effects, however, of this aliment are proper to be remarked. And first, it has been imagined, that a fish diet is more prolific, or conduces more to increase population, than one of either animals or vegetables. This was hinted by Dr. ‡ Arbuthnot, and afterwards suggested by Mr. || Montesquieu. Haller *, indeed, appears to be of a different opinion, though indeed rather from an inference of reason, than from experience. Dr. Reinhold Forster has, however, given some instances, in a late publication of his, which seem to indicate, from his own knowledge, that a diet of fish has no such properties; and, indeed, it must be confessed, that neither Strabo, Diodorus Siculus, nor Arrian, all of whom have described several nations living on a fish diet, have mentioned this quality of it, or remarked that such countries were more than ordinarily populous. But how far this opinion be founded in truth, I leave to future enquiry.

Another quality of the Ichthyophagi, or feeders upon fish, which is taken notice of by Diodorus Siculus, is, that they are endued with a remarkable apathy or unfeelingness, not only to the sentiments of the mind, but also to some of the natural appetites. But these qualities have been observed of several nations who do not

† Minus utique pisces alunt, minus sanguinis rubri faciunt, minus dant roboris quam carnes: ut eam debilitatem & ego expertus perceperim, & invenias tempore quadragesimali ab aliis esse perceptam.—Ibidem.

‡ On the Nature of Aliments, ch. iv. prop. 1. § 13.

|| Spirit of Laws, book xxiii. ch. 13.

* Non adeo absque ratione monachi generationi non destinati a Romanâ ecclesiâ aut ad majorem aut ad unicum piscium usum legibus adstringuntur.—Haller. Rhys. l. xix. § 3.

live upon fish, particularly of the American Indians, and are more probably owing to their particular state and way of life, than to their diet. But of this more hereafter.

CHAP. II.

LIQUID FOOD.

LIQUID food may be considered as fermented or unfermented. Of the latter of these I shall take water as an instance, as being the liquor mostly used as drink, either simple, or at least with such admixture only, as does not materially alter its properties in the light I mean to consider it.

SECT. I. *Water.*

Water, as it possesses no stimulant quality, is not subject to produce any irregular irritation of the † passions; and hence, I believe, the drinking of it has a tendency to render the temper even and regular.

Likewise, as water has no tendency to put people off their guard, by exhilarating their spirits above the natural pitch, or by disordering the understanding, those who drink it are apt to acquire a habit of secrecy and reserve. This may, perhaps, be one cause

† Shakespear observes, apparently in a ludicrous manner, the tendency of water-drinking, to increase the generation of females. (See Falstaff's speech in the second part of Henry the Fourth.) But the same observation is to be found in Hippocrates, Treatise on Diet, (lib. i. § 20.) and it is observed in many parts of the East Indies, at this day, where they drink no wine, that the number of women exceeds that of men very considerably.

why the Turks are so reserved and silent, and perhaps of the same qualities of the Spaniards, who, it is said, drink very little wine.

The drinking of water is also, in some respects, favourable to morality, by preventing the outrages which intoxication is so apt to occasion.

With regard to the intellects, it is observed, that water-drinkers mostly preserve their † senses and faculties to a late period of life; and are also more calm, prudent, and considerate, than those who use fermented liquors. As for the laws and customs, both civil and religious, regarding the drinking of water, as they are mostly derived from the climate, I have spoken of them under that head.

S E C T. II. *Fermented liquors.*

I shall next speak of fermented liquors: which, though of several sorts, I shall consider collectively as to their general qualities; adding, however, a few remarks, occasionally, on some peculiar qualities of the different kinds.

Fermented or spirituous liquors have universally the effect of enlivening and exhilarating || the spirits.

† *Aquæ puræ quæ ab anno ætatis octodecimo solâ utor tribuo, quod post tot in fulgido solo susceptos microscopicos labores omnibus sensibus & oculis potissimum non minus valeam quam puer valui.*—Halleri Phys. l. xix. § 3.

|| A very accurate account of the effects of wine, and their progressive order in which they act upon the mind, is given by Aristotle:—"When a sober, moderate, and silent man, drinks wine in a quantity rather more liberal than ordinary, it has the effect of cherishing and rousing his spirits and genius, and rendering him more communicative; if taken still more freely, it renders him more talkative, eloquent, and confident of his powers and abilities; if taken in still larger quantity, it makes him bold and daring, and desirous to exert himself in action; if taken still more largely, it renders him petulant and contumelious; the next step renders him mad and outrageous; and if he proceeds farther still, he becomes stupid and senseless."—*Problem. § xxx.*

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Hence those who use them are subject to a greater flow of spirits than those who do not, though, at the same time, they are less equable and regular. Fermented liquors have also the effect of opening the mind, and rendering social intercourse more free and chearful, and individuals more communicative. Thus it is observed by Tacitus ||, that the ancient Germans, whose fondness for strong liquors he particularly mentions, used the time of drinking for that of public business, on account of the effect of the liquor in producing an elevation of mind, and a freedom of debate and communication of sentiment.

Perhaps the greater use of these liquors may account, in general, for the greater openness and * frankness of the northern nations; and also for the great degree of hospitality practised by them.

Fermented liquors have been thought by some writers to have a tendency to corrupt the morals of mankind. Thus, some nations have prohibited the planting of vines, and the use of wine, upon that account; and † Livy tells us, that it was the tradition, that wine was introduced into Gaul for the purpose of debauching the manners of the people. Cæsar also gives a similar account of the opinion of that people concerning its effects. When taken to

|| Tanquam nullo tempore magis aut ad simplices cogitationes pateat animus aut ad magnas incalescat.—Tacit. Germania.

The Persians likewise, according to Herodotus (lib. i.) and Strabo (lib. xv.) debated on the most important affairs over their cups, and esteemed the resolutions taken by them in that state, as more respectable and sacred than those taken in a state of sobriety.

A similar account is given in the book of Esther, where the divorce of a queen is debated over cups.

* Athenæus remarks the effects of wine in making people speak truth.—Lib. ii.

† ——— invexisse in Galliam vinum illiciendæ gentis causâ Aruntem Clusinum irâ corruptæ uxoris a Lucumone.—Livii, lib. v.

Cæsar says, that the Suevi do not allow any wine to be imported among them, lest it should make them lazy and effeminate.—Comm. book iv. ch. i.

The Nervii never drank wine, nor suffered it to be brought amongst them, for the same reasons.—Cæsar's Comm. book ii. ch. 8.

excess,

excess, this opinion of the effects of intoxicating liquors is undoubtedly just, as we found by experience in this country, before the law was made for restraining the inordinate use of spirituous liquors; which were found to be no less ruinous to the morals than the health of the people. Undoubtedly they should be taken very sparingly in hot climates; but the moderate use of them in cold countries appears natural, and well adapted to counteract the effects of the climate.

Another effect ascribed to fermented liquors, by some writers, is that of inspiring † genius and sentiment, especially of the || poetical kind. This, at first sight, might seem ludicrous, but is seriously

† Shakespear, although he introduces it in a manner apparently burlesque, appears to have been aware of the effect of wine in exciting genius and quickening the understanding:—"A good sherris sack hath a twofold operation in it; it ascends me into the brain; dries me there all the foolish, dull, and crudy vapours, which environ it; makes it apprehensive, quick, forgetive, full of nimble, fiery, and delectable shapes, which, delivered over to the voice, the tongue, which is the birth, becomes excellent wit."—Second Part of Henry IVth, act iv.—Athenæus makes a similar observation, lib. ii.

Haller makes the same remark. *Omni vino commune est calefacere: vires ingenii et corporis augere.*—Halleri *Physiol.* lib. xix. sect. 3.

|| Halleri *Physiolog.* lib. xvii. sect. 1. § 13.—"Ingenium quod excitet vinum, ex eo clarissime intelligitur, quod ad poesin, quæ res ingenii est, mirifice disponat. Perpetuò ab antiquitate creditum est, et ipsa res docet, vini calorem poetarum furorem et impetum excitare, et Bacchi et Apollinis furorem unum esse eundemque; quamobrem Ovidius vino carens in exilio de se conqueritur.

Impetus ille facer, qui vatum pectora nutrit,
Qui prius in nobis esse solebat, abest."

Hoffman.—One of the summits of Parnassus was subject to Bacchus, the other to Apollo.

Jam observamus omnes hos populos qui vino utuntur, longe ingeniosiores esse reliquis omnibus. Nullibi enim artes liberales, et disciplinarum studia, melius flourerunt et florent, quam dictis in locis: vina enim foveant vires, pituitam attenuant, mordaces curas humanis mentibus infestas abstergunt, vim animo reddunt, spirituscentiam sanguinis promovent, ingeniumque acuunt: unde non ineptè vinum poetarum equus dictus est.—Hoffman *De Temperamento, Fundamento, &c. &c.*

asserted by several very grave and eminent writers, and is, I believe, in some degree, founded upon truth. Many of the ancient poets speak of the connection between wine and genius; and although we should not believe all these expressions to be meant to be understood literally; yet it may still be inferred, that some connection between them was supposed. Our own Milton, whose temperance was remarkable in every period of his life, has expressed the same * sentiment, and enlarged considerably upon it.

Malt-liquor possesses, in many respects, the same qualities with wine, but has not the same reputation for inspiring genius, and improving the † intellects. This may be ascribed to several causes: first, the viscosity of malt-liquor is such, as to prevent the effects of the spirituous part upon the nervous system, by inviscating and entangling it in its substance; secondly, malt-liquor is very nutritious, and apt to encrease corpulency, a circumstance by no means favourable to mental exertions; lastly, malt-liquors have but little of the acid which accompanies wine, which is of great efficacy in causing the latter to pass off quickly by the secretions, and prevents its loading the body, and powers of digestion; whereas malt-liquors, for want of some stimulus of this kind, are

- * *Quid quereris refugam vino dapibusque poësin?*
Carmen amat Bacchum, carmina Bacchus amat.
Nec puduit Phœbum virides gestasse corymbos,
Atque hederam lauro præposuisse suæ.
Naso Corallæis mala carmina misit ab agris,
Non illic epulæ, non fata vitis erat.
Quid nisi vina rosasque racemiferumque Lyæum:
Cantavit brevibus Teia musa modis?
Pindaricosque inflat numeros Teumesius Evan,
Et redolet sumptum pagina quæque merum.
Elegia sexta Miltoni ad Carolum Deodatur ruri commorantem.

† Athenæus remarks, that wine taken too freely caused the head to be more painful, but does not render people so heavy and lethargic as malt-liquor.—Lib. i. ad finem.

nearly

nearly equally oppressive with animal food. Distilled spirits might appear to have nearly the same effects with wine, as being very † thin, light, and possessing nearly the same powers of the spirituous kind; but in reality, wine and spirituous liquors differ very much from one another. Distilled spirits want the acid of wines—which either does not rise, or is destroyed in the distillation—and therefore remain longer in the body, and are more inflammatory. They are also more narcotic, and produce worse effects upon the nervous system, in debilitating it, than wine. They are likewise destitute of || fixible air, to which wine, in a great measure, owes its invigorating and chearing qualities, but which is destroyed or dissipated in the distillation of spirits. Hence their effects upon the intellects are less happy than those of wine.

As to laws respecting the use of wine, or the omission of it altogether, I have before spoken under the article of Climate.

I know of no peculiar or specific effects of fermented liquors on the form of government or religion of mankind.

S E C T. III. *Effects of Tea.*

As tea now makes so large a part of the pleasures, and indeed of the diet, of a great number of people, especially in our own country, a few remarks upon it may not be improper.

† Aqua est oeculto acore et plurimo phlogisto ebria.—Halleri Physiolog. lib. xix. sect. 3.

|| There appear to be two causes of inebriation in fermented liquors; one from the fixible air, and another from the vinous spirit. That from the former takes place sooner, and is the more transient of the two, and seems also to do less injury to the constitution, and is likewise more apt to excite chearfulness and good spirits. This is very well known to those who have compared the effects of champagne with those of the stronger wines.

The same effects with those of champagne are found in some mineral waters, especially in those of Spa and Pyrmont, and in some degree in those of Bath, when drank fresh at the spring.

Tea

Tea appears, from the || best experiments, to produce sedative effects upon the nerves, diminishing their energy, and the tone of the muscular fibres, and inducing a considerable degree, both of sensibility and irritability, upon the whole system. It also promotes the thinner evacuations very powerfully, and diminishes the flesh and bulk of those who use it. These effects tend to impair the strength, and promote the other consequences of it upon the nervous system above described. Hence the use of tea has been found very agreeable to the studious, especially those engaged in the composition of works of genius and imagination, and hence is emphatically styled the poet's friend. But, on the other hand, I believe that, at least with us, it has had the effect of enfeebling and enervating the bodies of our people, and of introducing several disorders that arise from laxity and debility; and has been of still more consequence in making way for the use of spirituous liquors, which are often taken to relieve that depression which tea occasions.

From these effects of tea, I cannot but think that its consequences, on the whole, have been highly prejudicial. It evidently injures the health, and, by the consequences last mentioned, tends to corrupt the morals of the people; and, in my opinion, by the effects it produces upon the nerves, contributes to abate courage, vigour, and steadiness of mind: circumstances surely of themselves sufficient to discredit its use, with those who are engaged in any situation of life that requires exertion and resolution. Perhaps, however, in the hot climates of China and India, the use of this liquor may not be so prejudicial as in the colder ones; it may there tend to abate the weariness occasioned by heat, and, as a grateful diluent, promote the thinner evacuations; which possibly may, by causing it to pass off quickly, counteract, in some mea-

|| See Dr. Lettsom's ingenious Essay on this subject.

sure, its bad effects. But the † noxious qualities of this plant are not unknown even in its native countries. The Japanese are subject to the diabetes, and to consumptive disorders resembling the atrophy, from its use; and the Chinese, it is said, are so sensible of these consequences, that they rarely drink green tea at all, which is the most remarkable for these effects. Perhaps the diminutive stature, and cowardly, and at the same time acute and tricking disposition of the Chinese, may be owing, in no small degree, to the use of this vegetable.

† Tea belongs to the natural order of the Coadunatae, which are all of the narcotic kind.

BOOK VI.

On the Influence of Way of Life.

I NOW come to the last head on which I mean to treat, which is concerning the influence of way of life upon mankind, with respect to the above particulars.

This expression, if taken in the extent in which it is usually understood, would comprise a larger field than the limits of the present work would admit. I must therefore inform the reader, that I mean to confine it, in general, to the various degrees of civilisation amongst mankind, adding, however, some remarks on the different occupations and modes of living that usually occur in the progress of improvement.

In pursuing this plan, I shall begin with that state of mankind that appears to be the least civilised, compatible with the subsistence of a nation or body of people, and proceed upwards to the highest degree of refinement that we have any authentic testimony to have been possessed by any nation whatever.

The progress of civilisation may be divided into several stages; each of which, however, separately, comprehends divers degrees of improvement.

CHAP. I.

ON THE INFLUENCE OF A SAVAGE STATE.

THE first and lowest stage of civilisation, of which I shall speak, is that generally called savage, where the people subsist by hunting or fishing, and on the spontaneous produce of the earth; and are ignorant, at least in general, of the nature of private property, particularly money. Some latitude must, however, be allowed in this description, as there is scarce any people to whom it is strictly applicable. It may be supposed to comprehend from the Fenni of Tacitus, and the Ichthyophagi of Diodorus, and other writers, to the Goths, Huns, and Saracens, of former ages, or the Arabs and Tartars of the present; or from the greatest degree of savageness known, to such a degree of civilisation as is produced by the general knowledge of property and money.

The two nations mentioned above, the Fenni and the Ichthyophagi, are, I believe, the most striking instances of savageness which are recorded to have taken place in any considerable body of people.

The former of these * (the Fenni) had neither defensive arms, horses, nor deities. To savage fierceness they joined abject poverty. They fed upon herbs, cloathed themselves with the skins of beasts, and slept upon the ground. Their only dependence was on their arrows, which, for want of iron, were pointed with bones. The subsistence of both sexes was procured by hunting, to which they went jointly, and shared the prey alike. A covering made of boughs intertwined with one another, was all

* Taciti Germania, cap. xlv.

the shelter that defended their infants from the rigour of the weather, and the fierceness of beasts of prey. This furnished a home for the young, and a place of refuge and repose for the old. This mode of living they preferred to the fatigue of cultivating the ground, and of building houses; to the agitations of hope and fear, attendant on a care of their own fortunes, and on a connection with those of others. Without apprehensions from either gods or men, they had reached a state which is nearly unattainable to all human endeavours, the being entirely without a wish. The Ichthyophagi were nearly similar to the Fenni—they went * naked, dwelt in rude buildings, made of the † bones of large fish and of shells, lived on ‡ fish, which they caught in a || rude and simple manner, and which also they eat nearly § raw. When this supply failed, they lived on such shell-fish ** as they found upon the shores; and, in default of this, on the †† bones or prickles of fish, which they either eat when simply cut into pieces, or, when too hard for mastication, bruised between stones. Sometimes they made a kind of bread of the fish, beaten into a paste, with

* Diodor. Sicul. lib. iii. p. 106. edit. Rhodom.

† Strabon. lib. xv. p. 720, 726.—Arrian Hist. Ind. liber, § 29, 30.

‡ Diodor. Sicul. lib. iii. p. 106.—Strabon. lib. xv. p. 720.—Arrian, Hist. Ind. liber, § xxix.

Feeding upon fish was, in the early ages of the Greeks, thought an instance of great barbarism, and what was never practised, unless in times of great distress. Homer's heroes, in the Iliad, although their scene of action lay upon the sea-shore, never appear to have fed upon fish: and Menelaus, in the Odyssey, mentions it as an instance of the highest necessity, that his soldiers were obliged to feed upon fish in Egypt.

|| Diodor. Sicul. lib. iii. p. 106.—Arrian, § xxix.

§ Strabon. l. xv. p. 721.—Diodor. Sicul. lib. iii. p. 108.—Arrian, Hist. Ind. lib. § xxix.

** Diodor. Sic. lib. iii. p. 107.

†† Idem, p. 107.

the mixture of a little flour *, which they used with the fish when eaten fresh, as a supply for a dry food. For drink † they used water, and some of them scarcely any ‡ liquid at all. Their wives and children were || in common among them, in the same manner with their flocks and herds. They had scarcely any language, but uttered an § unformed rude kind of sound **, scarcely resembling a voice. The inhabitants of Terra del Fuego, in South America, were in a state little differing from the Ichthyophagi, and equally savage ††.

The North American Indians may be adduced as an instance of a state of life somewhat similar, though more improved. These, like the people above described, live by hunting and fishing; but have advanced to greater degrees of dexterity in their employments than the Fenni or Ichthyophagi. In other circumstances too, relative to civilisation, they are far superior.

From these, and some other instances, I shall attempt to deduce the effects of this way of life upon mankind, relative to the articles here under consideration.

* Strabon. lib. xv. p. 720. — Arrian, Hist. Ind. § xxix. — Diod. Sic. lib. iii. p. 107.

The Laplanders, who, in several particulars of their way of life, resemble the Ichthyophagi, make a bread of dried fishes; and of the inner bark of the pine-tree, ground to powder, which they eat more for the purpose of supplying a dry food, than that of nourishment.

Diodorus and Arrian both mention, that the Ichthyophagi use this kind of bread for the purpose of supplying a dry aliment. For the use of which, see Dr. Cullen's Mat. Medic. Art. Bread.

† Strabon. lib. xv. p. 720.

‡ Diod. Sic. lib. iii. p. 106.

|| Idem, lib. iii. p. 106.

§ Idem, l. iii. p. 108.

** Jornandes, the Goth, mentions the Hunns as resembling the Ichthyophagi in this respect. — "Nec aliud voce notum nisi quæ humani sermonis imaginem assignabat."

†† See Banks' and Cook's first voyage.

S E C T I. *Effects of a savage way of life upon the disposition.*

One of the most remarkable circumstances belonging to the savage state of mankind, is an apathy or insensibility of disposition, which they almost universally discover. This part of the character of these people may, with great probability, be referred to their rude state, as it is found in all climates, and under very different circumstances with regard to diet, &c. Savage nations have been remarkable for this characteristic from great antiquity, and modern experience is agreeable thereto. Tacitus observes, that the Fenni had no regard for gods or men; and Diodorus † says, that the Ichthyophagi were remarkable for want of sensibility, even to a degree that surpasses belief. The same quality is also observable, in a high degree, among the ‡ American Indians.

† What is most extraordinary in these people is, their freedom from all agitation or emotion of mind on any occasion, which is so great as to surpass all belief. These people neither enter into any conversation with strangers, nor are at all surprised by the sight of them; but regard them with a fixed and unconcerned aspect, and without shewing any signs of being at all affected. It is even said, that when naked words were aimed at them, they made no attempts to avoid them; nor were they roused to passion by the infliction of injuries or wounds: neither were they more affected by the sufferings of others, than by their own; but have often beheld the massacre of their wives and children without betraying any symptoms either of pity or resentment.—Diodor. Sicul. lib. iii. p. 108.

‡ If you tell an Indian that his children have greatly signalised themselves against the enemy, have taken many scalps, and brought home many prisoners, he does not appear to feel any extraordinary pleasure on the occasion—his answer is generally, “It is well,” and he makes very little further enquiry about it. On the contrary, if you inform him that his children are slain, or taken prisoners, he makes no complaints, but only replies, “It does not signify,” and probably, for some time at least, asks not how it happened.—Carver’s Travels, p. 240, 241.—See also note L of Robertson’s History of America, wherein numerous testimonies of this part of the character of that people are adduced.—The thoughtless and improvident conduct of savages, with respect to laying up of provisions and other necessaries, is to be ascribed to this disposition.

This

This disposition is the leading mark of the character of nations in this condition, and from it most of their other qualities are derived.

Why this way of life should produce this effect, it is difficult fully to explain. Is it that the feelings, as well as the faculties of the mind, being little employed about that period of life wherein the inhabitants of civilised countries generally receive impressions and ideas, become callous afterwards, for want of being accustomed early to a variety of sensations, which improve sensibility by habit and use? We all know how difficult a thing it is to instruct persons, in an * advanced age, in what is easily acquired in youth—the knowledge of languages for instance—and how soon the impression thus made is obliterated. Does the mental capacity bear any analogy to the appetite for food, and inclination to sleep; which we often observe, if not indulged at the usual periods, depart, and return no more until the recurrence of the accustomed time of gratification? It is remarked with great ingenuity, by an elegant writer, that the anatomy of an eye that had never received the impression of light, or of an ear that had never felt the impulse of sounds, would probably exhibit defects in the very structure of the organs themselves, arising from their having never been applied to their proper functions; so in the present case we may suppose, from analogy, that the human capacity, in such situations, would be defective in its very arrangement and formation, from want of opportunity of being employed at that period when it is intended by nature to receive impressions.

It is also not improbable, that this defect of the sensible faculties, although perhaps it might be originally derived from acci-

* It is remarked by an ingenious and amiable writer, that a child has more to do and to learn in the first three years of its life, than it has in thirty years of any future period of it.—Gregory's Comparat. View.

See also the same work, on the Improvement of Sensibility by Exercise and Cultivation.

dental and extraneous circumstances, might, in process of time, become hereditary; and that the sensations, from want of use, through a number of generations, might acquire a degree of insensibility sufficient to mark the character of the people. Providence has, without doubt, set bounds to this depravation of the sensible faculties, as well as to others of the moral kind; but, within those limits, I make no doubt that the cause above-mentioned produces a certain effect. Hippocrates *, whose observations on human nature in general, as well as on the science of medicine, have been hitherto universally respected, has delivered it as his opinion, that even bodily forms, artificially at first introduced, may be transmitted to posterity; and if this has any foundation, it is not less probable of the mental faculties, which sometimes indeed, unfortunately for our nature—as in the case of insanity, and frequently in instances of taste, sensibility, &c.—we see prevalent in particular families, and continued through many generations. As a confirmation of this theory, I have been credibly informed, that the children of savages, the North Americans particularly, although brought into this country at so early an age that they could scarcely have received any prior impressions †, and educated here, still retained a ferocity of disposition, and an unsettled roving turn, similar to that possessed by those ‡ from whom they sprung.

Another part of the character of savage nations, or rather another instance of the insensibility above described, is the indifference

* Hippocrates de Aeribus, Aquis, & Locis, cap. xxxvi.

† There is great reason to believe, that the tame and the wild cat were originally the same animal; yet the young of the wild cat, though taken at the earliest age, and bred up in the most domesticated state, still retain the ferocity of their parents, and cannot be reclaimed, but on the first opportunity fly to the woods.

‡ The degeneracy and improvement of mankind, in several climates, in a course of generations, shew, that different degrees of perfection or depravation of the human mind or genius may be hereditary.

they

they shew for the fair sex. This was remarked by Diodorus Siculus of the Ichthyophagi *, and is found to prevail to a great degree among the † American Indians.

Another mark of a savage is pride, or rather a high degree of satisfaction with his state and condition in life. This was observed by Tacitus of the Fenni ‡, and of the Ichthyophagi || by Diodorus; neither of which nations appear, by the accounts we have of them, to have much reason to boast of their situation.

The same disposition is still more remarkable among the American Indians, who are so far from envying the situation of men in a higher state of civilisation, that they regard them with the utmost contempt, and look upon themselves, and their own way of life, as the standard of perfection. This preference of themselves is very conspicuous on every occasion. The very names by which they desire to be distinguished are expressive of their supposed superiority. § The Iroquois styled themselves the chief of men. Carabe, the name of the inhabitants of the Windward Islands, signified the *warlike* ** *people*. The Cherokees, from an idea of superiority in themselves, call the Europeans Nothings, or the accursed people. The froth of the sea was another appellation by which the Americans distinguished the people of Europe. The hunting nations on the confines of Siberia were not deficient

* Diodor. lib. iii. p. 107.

† Carver's Travels, p. 368.

‡ Taciti Germania, cap. xlvi.

|| Diodor. Sicul. lib. iii. p. 108.

Diodorus Siculus also says of the Troglodytæ, that they not only would not avoid any of the inconveniences belonging to a savage state, but would rather suffer death than be compelled to embrace any other way of life.—Diod. Sic. lib. iii. p. 116.

§ Robertson's America, vol. i. p. 412.

** The ancient Germans bestowed upon themselves a similar appellation. *German* signified, in their language, a *man of war*, or a *warlike man*.

in this † self-estimation, and contempt of a more civilised way of life. It was a proverbial imprecation with them, that their enemy might be obliged to live like a Tartar, and be seized with the folly of breeding and attending his cattle. The origin of this self-estimation is connected with various causes: first, the ignorance and confined observation of people in this state is such, as to prevent their being able to compare their own situation in life with that of others, from which comparison all ideas of choice must be deduced; consequently it is probable, that, as they see none in a condition preferable to their own, they may not believe that such a condition exists.

Moreover, were such a situation to be offered to them, it would be doubtful if they could comprehend the advantages of it, or would think favourably of them, if they were explained to their understandings*. Many of the gratifications on which people in polished society value themselves, would appear to the untutored savage a scene of tedious confinement and fatigue; and the usual forms of civility and behaviour among cultivated persons, would appear to him a conduct mean and unnatural, and highly degrading to that force of mind and independent spirit with which he is animated.

The indolence, likewise, which is almost inseparable from a savage state, is highly favourable to this disposition of mind. Pride and idleness have been always observed to be nearly connected, in all circumstances of life, but in none more remarkably than in that now under consideration.

Idleness, if indulged, is a passion very apt to gain ground upon

† Dr. Reinhold Forster tells us, that the savages, on the frozen extremities of the globe, think themselves happy, and even happier than the most civilised nation; and every individual of them is so well satisfied with his condition, that not even a wish is left in his breast for the least alteration.—Forster's Observations made during a Voyage round the World.

* See this subject beautifully treated in Mr. Prior's Solomon, book i.

the human mind, and naturally fertile in inventing excuses for its own gratification. One of the most obvious of these is, that the objects of attention are not sufficiently important to demand the exertion of the faculties of body or mind; and this suggestion occurring frequently, is apt to induce a persuasion of the reality of it, at least with respect to the common affairs of life.

From another principle, idleness produces pride, by rendering the ideas selfish and personal. A man that is unemployed is apt to turn his thoughts upon himself, and the idea of his own importance and value naturally suggests itself. Idleness, indeed, almost necessarily inspires a notion of superiority; it shews that a man is able to subsist, and to maintain his rank in the world, without being obliged to have recourse to the assistance or favour of others, by the necessity of mutual services. Idleness is also a great source of pride, by preventing that familiar intercourse with others, which is so connected with industry. Nothing is more adverse to pride, than a habit of being frequently acquainted with the mutual wants of society, and those especially in which men reciprocally stand in need of the assistance of each other; but idleness is a solitary passion, and tends to increase pride, by diminishing our acquaintance with our own species, at least in respect to their mutual dependence upon one another.

Idleness I have just mentioned as a part of the character of a savage people. This is amply confirmed both by ancient and modern † observation.

Tacitus says, that the ancient Germans, when not engaged in ‡ hunting or warfare, spent their time in idleness, sleep, and eating.

† If we contemplate a savage nation, in any part of the globe, a supine indolence, and a carelessness about futurity, will be found to constitute their general character.—Gibbon's *Decline and Fall of the Roman Empire*, p. 224.

‡ Taciti *Germania*, cap. xv.—Most of the copies of Tacitus read, *Quotiens bella non ineunt non multum venatibus*, &c.; but some of them leave out the negative

ing. Nearly the same mode of life is practised by the || American Indians at present. But this disposition of theirs is rather an aversion to labour, than a love of quiet and repose. This is evidently expressed by Tacitus *, in his admirable character of the Germans, and is no less true of the American Indians. The same man, who, to procure food, will not submit to any species of ordinary labour, will, in pursuit of an enemy or a wild beast, traverse an hundred leagues over mountains covered with snow. Indolence indeed is, with these people, from their natural course of life, almost inevitable. Without agriculture, trade, manufactures, or literature, great part of their time is vacant, for want of an object to engage it; especially as the improvident disposition, which reigns so much among them, prevents their using it in providing for future necessities. I have, however, some doubts, if this way of life does not dispose to indolence by means which we do not fully comprehend. The beast of prey, whose mode of life does not vary much from that of the human species in this state, is himself a sluggard, and when not engaged in the toil of hunting, spends his time in sleep and indolence. Perhaps the

tive *non*: which alteration seems to make the different parts of the sentence coincide better together, and is also more answerable to the account he had given of the diet of the Germans; which, he says, consisted in a good measure of the flesh of wild animals fresh caught: which could not be the food of the people in general, if hunting was not much practised.—Cæsar also tells of the same people expressly, that they were much addicted to hunting, which makes this alteration more probable. The ancient Germans were in a middle state, between savages and barbarians. Their diet and way of living—their want of all manufactures, and ignorance of money—are certainly marks of savageness: but the regularity of their government, the fixed administration of justice, and the difference of rank, in the state, and those of a permanent and hereditary kind, are instances of a farther advance in civilisation. I shall consider them in both the lights of savages and barbarians, as the circumstances in their history are connected, more or less, with either of these states of mankind.

|| Carver's Travels, p. 244.

* *Mira diversitas naturæ ut iidem homines sic ament inertiam, et oderint quietem.*

—Taciti Germania, cap. xv.

large proportion of animal food they both take in, may not a little contribute this way. Another disposition natural, as I think, to a savage state, though apparently contrary to that last mentioned, is a disposition for warfare and warlike achievements. This is mentioned particularly, by Tacitus, of the ancient Germans; who tells us, that the fondness of this people for † warfare was so great, that when they had no war at home, they would go in search of other nations ‡ engaged in such contests, and take part in their quarrels, merely for the sake of employment, and of distinguishing themselves.

Nearly the same disposition may be discovered among the || American Indians.

Nor is this matter of surprise: since war is, with them, almost the only scene for the exertion of genius and abilities; the only stimulus that can occur, sufficiently powerful to call forth their faculties into action, dissipate the tedium and fatigue of idleness, and satisfy that desire of distinction so universally present in the human breast. The mode of life also, which people pursue in this state of society, in order to procure subsistence, is itself a kind of emblem of war. It is attended with a similar danger, and followed by means of exertion of the mind and body, and also with instruments nearly resembling those used in a contest with the human species. This, therefore, habituates them to war as an employment, and deprives it of many of the terrors which accompany it when it breaks out in a civilised country.

The little property, at least property of a separate kind, which they possess, is another inducement to a warlike disposition. Much of the dread of war arises from the hazard incurred by it to

† See the derivation of the word German, in the note **, p. 264.

‡ Taciti Germania, cap. xiv.—Ammianus Marcellinus says the same of the Gauls in his time, and Cæsar of the Suevi.—Amm. Marc. l. xv. cap. 12.—Cæsar. de Bello Gallico, lib. iv. cap. 1.

|| Carver's Travels, p. 298.

property;

property; and this is one of the principal reasons why people in trade are in general indisposed to war. It is evident, therefore, that a situation in which people have scarcely any motives of the dissuasive kind, arising from interest or property, must be highly favourable towards encouraging a military disposition among the people.

Notwithstanding, however, the warlike disposition of savage nations, they are far inferior in steady courage and resolution to civilised. It is a part of their character to be soon elated with prosperous, and soon depressed by adverse events. This was observed by several ancient * writers, well acquainted with their character; and has been confirmed by after experience. Nor is it difficult to be explained. People in a rude state are impatient for a decision, deficient in resources, and apt to magnify every thing, from ignorance of its real extent. Add to this, that they are generally very superstitious, and, on every reverse of fortune, apt to despair, from the belief of the displeasure of the Deity; of whose favour or disapprobation they always judge by the success or failure of their enterprises.

Friendship, or personal attachment, appears to be often carried to a high degree among savage nations. This arises in a good measure, as has been before † remarked, from the smallness of the number of the people; but the way of life, and situation in point of circumstances, tend to produce the same effect. The joint trials of fortitude, which occur so often in a way of life that may not improperly be called a perpetual warfare—the mutual assistance afforded to one another—tend to draw the tie of friendship closer than in civilised societies, where the same trials are not found. The little property, which such nations possess,

* Dion Cassius mentions this as a part of the character of the Gauls, lib. xxxix.—and Ammianus Marcellinus attributes it to rude nations in general, lib. xvi. c. 12.

† See chapter iv. on Population.

has also, I apprehend, a great effect in heightening the ardor † of friendship and affection. This attachment is not here disgraced by interested motives; nor is regard exacted for services in the same way with a pecuniary recompence. The object is freely chosen, and considered merely with a view to the pleasure arising to themselves from the connection; not as to any expectation of advantage to be derived from it. Hence ‡ gifts or presents among them were not considered, as with us, to be matters of obligation: if either of the two, the giver was the person obliged. Hence the mind, free from a mercenary commerce and traffic of affection, fixes its regard on the personal qualities alone: and in so doing forms a connection more || intimate, and more durable, than the

† This is no way inconsistent with the apathy of the savage before described. His frame of mind, though hard to be affected, is, when it meets with an adequate object, agitated to a greater degree, in proportion to the slowness wherewith the impression was received. When that is once made, it is felt in full force: and not likely to be effaced by subsequent impressions, as none but those of a very strong kind are felt, and such do not often occur.

‡ Tacitus tells us, that the Germans, although they were fond of presents, never considered them as matters of obligation, either on the giver or the receiver.

|| Charlevoix says, that the North American Indians are affectionate in their carriage, and in their conversations pay a mutual attention and regard, more tender and more engaging than we profess in the ceremonial of polished societies. A great writer has represented the Americans as devoid of the attachment of friendship, and indeed incapable of it. This he ascribes, in part, to the insensibility with which they are endued, and partly to their independent spirit. But their insensibility is not so great as to prevent their having a high degree of attachment to their country, a great jealousy of its honour, and sense of its interests: it is, therefore, highly improbable that it should be so great as to obscure social affection and regard. As to their independent spirit, I have already spoken of it as a circumstance which drew the bond of affection still closer, by its being a matter of choice. The ancient Germans, whose situation in point of independency was nearly equal to the North American Indians, appear to have been highly susceptible of friendship; and we have not only the testimony of Charlevoix above quoted, but also that of a late writer and excellent observer, whose experience was very extensive, to prove that the social regards and affections of the latter are very powerful.—Carver's Travels, p. 410.

studied attentions which the inhabitants of civilised nations exact from each other, under the idea of gratitude. Another circumstance that renders friendship more complete, and more frequent, in a rude or savage state, is the equality, in point of rank and fortune, of all the members of the society. A great writer observes, that friendship is seldom lasting, but between equals, or where the superiority on one side is reduced by some equivalent advantages on the other. Benefits which cannot be repaid, and obligations which cannot be discharged, are not commonly found to increase affection. They excite gratitude, indeed, and heighten veneration: but commonly take away that easy freedom and familiarity of intercourse, without which, though there may be zeal, fidelity, and admiration, there can be no friendship. A state, therefore, that admits of no inequality of ranks, and no distinctions, save those of a personal kind, must be better adapted to promote this affection, than those wherein the variety of rank and circumstances not only produce an original inequality in point of consideration and importance, but also tend to prevent that freedom of intercourse, and communication of sentiment, without which friendship cannot even commence.

Another characteristic of savages is, that high degree of regard and attachment which they bear to their country. I have before spoken of a regard of this kind, which prevailed among a people few in number; which circumstance I believe to be the principal cause in the present instance. But other reasons concur. The mind of a savage, unoccupied by the usual concerns that distract the attention, and divide the affections, in civilised nations, has no other object upon which to rest, but that of concern for his friends, and the community to which he belongs; consequently this, as it comes fully within the scope of his comprehension, and as the whole power of his mind is directed to this point, may be expected to be exerted with full force.

But although the affection of people, in this situation, may be
very

very great for their countrymen, they have very little local attachment. This naturally arises from their manner of life. Hunting necessarily requires a large scope of ground, and a frequent change of situation, as the game alters in its disposition, to frequent particular districts. Hence there can be no towns, no hereditary monuments, no paternal inheritances, to excite affection, or rouse the pride of family, and interest the passions in the regard or defence of any place in particular. Thucydides observed formerly, that those people who gained but a bare livelihood by cultivating the ground, were easily induced to change their habitation; and this remark is much more likely to be true of the people now under consideration; who, as they gained nothing immediately from the ground, had still fewer motives of local affection. I believe that this mode of life, or one similar thereto, was formerly the great cause of the easy migration of several of the northern states. We do not find that the Gauls, the Cimbri*, or the Teutones, in the early ages, or the Goths and Vandals in later times, expressed any regret at leaving the country they had before inhabited; nor is any concern of the same kind remarked, by Cæsar, to have been felt by the† Helvetii; who, to a man, left their own country

* Cæsar says, that no man among the Germans had any landed property of a separate or distinct kind; but that the magistrates and princes annually distributed to every district such a portion of land as they thought sufficient for their maintenance, whither they sent them to continue for one year only, and remove them to some other quarter the next; which custom, he says, is observed, lest, from being *attached to a place*, they should change their inclination for war to that of tillage, and think of extending their confines, to the oppression of the weak by the powerful; lest they should learn to build more elegantly than is necessary, against summer's heat and winter's cold; but chiefly to prevent covetousness, the root of all factions and discord, and preserve that equality of riches in the commonwealth that produces peace and content.—Comment. book vi. ch. 10. § 22.—Tacitus mentions the custom, but assigns no reason for it.—German. c. xxvi.

† The Helvetii burnt all their towns, villages, corn, and spare stocks of provisions.—Cæsar. Comm. book i. ch. 2. § 5.

from ‡ ambitious motives, and with a design of settling in the possessions of their neighbours. But this very people, who formerly quitted their country with so little remorse, have now, since it has been || improved, and fully cultivated, contracted such a degree of local attachment to it, as to pine away, and to be affected with a real disorder *, when separated from it for any length of time.

S E C T. II. *On the influence of a savage state upon the manners.*

I shall consider these, first with regard to the morals, and next with respect to the behaviour. Many of the vices incident to a civilised state, are excluded from a savage one, merely by their ignorance

‡ Their intent was to invade and settle in Gaul. — Ammianus Marcellinus gives a similar character of the Saracens: — *Nec eorum quisquam aliquando stivam apprehendit, aut arborem colit, aut arva subigendo queritat victum, sed errant semper per spatia longe lateque distenta, sine lare, sine sedibus fixis aut legibus: nec idem perferunt diutius cœlum aut tractus unius soli illis unquam placet.* — Amm. Marcell. lib. xiv. cap. 4.

Sondanis dissuaded Crœsus from making war upon the Persians, for similar reasons, telling him that he was preparing to attack a people who had no covering but skins; who inhabited a barren country, and who eat not the things they liked, but what they could get; who had only water for drink, and had neither wine, nor figs, nor any delicious thing among them; that no advantage could be gained by their conquest, but that, if the victory should be in their favour, and that they should come to taste the voluptuous way of living in their enemy's country, that they would establish themselves in it, and never be driven out. — Herodotus, lib. i.

|| Switzerland, though a very mountainous country, is very highly cultivated. — See Coxe's Travels.

* Apud milites Helvetos cum e patria excesserunt frequens est hic morbus, et olim eâ de causâ plurimi castra deserebant; erat autem cantilena Helvetiæ delicias revocans, quæ ipsos in hunc affectum deducebant, quam deinceps repetere sub capitis pœnâ prohibitum est. — Sauvage Nosolog. Method. Descript. Nostalgia.

of † money. People in this situation are seldom acquainted with any other injustice than what arises from, or is accompanied with, violence. That kind of it which is attended with craft, and which may be exercised a thousand ways, is altogether unknown. Corruption also, or the power of money as an ‡ inducement to act contrary to the real sentiments or belief, is there impracticable, for want of the means of acquiring such influence. This circumstance shuts out the largest share of the vices incident to human nature, and avarice || particularly.

The love of equality likewise, which is incident to nations in this state, is nearly connected with, if not the same with, the love of justice. This happy principle preserves the mind from degenerating into meanness and slavery, the parents as well as the produce of corruption; instils a sense * of justice into our conduct,

† Aurum et argentum perinde aspernantur, ac reliqui mortales appetunt. Hæc continentia illis morum quoque justitiam edidit nihil alienum concupiscentibus. Quippe ibidem divitiarum cupido est ubi et usus. Atque utinam reliquis mortalibus similis moderatio, abstinentiaque alieni foret; profectò non tantum bellorum per omnia secula terris omnibus continuaretur, neque plus hominum ferrum et arma quam naturalis fatorum conditio raperet. Prorsus ut admirabile videatur hoc illis naturam dare quod Græci longa sapientium doctrina, præceptisque philosophorum consequi nequeunt, cultosque mores incultæ barbariæ collatione superari. Tantò plus in illis proficit vitiorum ignoratio, quam cognitio virtutis."—Justin. lib. ii. cap. 2. Descriptio Scytharum.

‡ No selfish views ever influence their advice, or obstruct their consultations.—Carver's Travels, p. 412.

|| The Indians are extremely liberal to each other, and supply the deficiency of their friends with any superfluity of their own.—Carver's Travels, p. 247.

* It is, however, remarkable, that savage nations, although attentive to justice with a punctilious exactness, within the limits of their own community, paid little regard to it out of that limit. Beyond the frontier of his state, the Gaul and the German was a thief and a robber. It was esteemed an action of glory and renown to attack a neighbouring people, though at peace; to carry off their cattle, and lay waste their territory. A similar spirit prevailed among other nations in the same state of society.—See Homer's Iliad and Odyssey.—Thucydides, book i.—Cæsar Comm. b. vi.—Tacitus's Account of Germany, ch. xiv.—and Lafitau Moeurs de Savage, tom. ii. p. 169.

from

from the idea of reciprocal right; and leaves the heart open to sentiments of generosity and benevolence. It gives to the untamed savage that sentiment of candour, and regard to the welfare of others, which softens the arrogant pride of his carriage, and, in times of confidence and peace, without the assistance of government and † law, renders the approach and ‡ commerce of strangers secure.

Faults, nevertheless, are to be found in the moral character of savages. Thus, it is much to be suspected that they are, in general, of a cruel and || vindictive disposition. The barbarities of the Americans towards their prisoners, the human sacrifices of other savage nations, and the severity of some of their punishments, indicate this very strongly. This arises, no doubt, in a good measure, from their apathy, or unfeeling disposition; but I am inclined to believe, that their animal diet, of which I have before spoken, and also their method of procuring food, has also a considerable share.

Nations that live by hunting are accustomed to blood and slaughter, and to behold the pangs and agonies of death, not only without concern, but also with pleasure and satisfaction. This, although practised on brutes only, has a natural tendency to harden the heart, and to obliterate the tender feelings; and of this the law of England is so sensible, as to exclude butchers, whose manner of life is not very dissimilar to that of nations who live by hunting, from ever being made judges of the guilt or innocence of their fellow-creatures, in cases that affect life. Another cause of the cruelty of savages may be, their not experiencing a variety of situations in life, and the vicissitudes of fortune.

† *Justitia gentis ingeniis culta non legibus.*—Justin de Moribus Scytharum.

‡ If any one of their allies come to visit them, they shew him more kindness, and greater endeavours to serve him, than if he was their own countryman.—Kalm's Travels, vol. i. p. 77. 8vo edit.

|| "*Ferocissimos populos venatores esse.*"—Halleri Physiol. lib. xix. § 3.

The Indians are of a cruel, revengeful, inexorable disposition.—Carver's Travels.

It is finely observed by ‡ Mr. Montesquieu, that an uniform excess of either happiness or misery naturally inclines people to severity; as instances of which, he adduces conquerors and monks. It is, as he observes, moderation alone, and a mixture of prosperous and adverse fortune, that inspires us with lenity and pity. What is here observed of individuals, is equally true of nations. In countries inhabited by || savages, who lead a very hard life—and in despotic governments, where there is only one person upon whom fortune lavishes all her favours, while the miserable subjects lie exposed to her insults—people are equally cruel.

Drunkenness or * inebriation has been imagined, also, to be a vice peculiar to barbarous or uncivilised nations. The ancient Scythians procured ebriety by the fumes of an † intoxicating fruit; other nations, upon the northern extremity of Asia, used mushrooms infused in water for the same purpose; and the Calmucks ferment mares milk into a liquor that has the same effects. In some of the islands of the South Seas, an inebriating drink is made from the root of a cultivated pepper, which is much in use. Tobacco was taken, for a like reason, by the people of California; and in many other parts of America, an intoxicating liquor was procured from mayz, or from the manioc root. The passion for spirituous liquours was formerly very strong among the ancient ‡ Germans; the Gauls || were also very fond of them—but it must also be observed, that the climate of that country was then

‡ Sp. of Laws, book vi. ch. 9.

|| Another reason for the vindictive disposition of savages will be given, when I come to speak of the influence of this way of life upon the laws.

* Robertson's Hist. of America, book iv.—Forster's Observations made in a Voyage round the World, p. 481.

† Herodot. lib. i.—Maxim. Tyr. Diff. xi.

‡ Taciti Germania, cap. xxiii.—Appian. Bell Civ. lib. ii.

|| Diodor. Sicul. lib. v.—Ammian. Marcell. lib. xv. cap. 12.—Plinii Nat. Hist. l. xiv. cap. 22.

much colder than at present. The same desire prevails at present among the savage inhabitants of Africa and America.

This passion is ascribed by some writers, and not without great probability, to the stimulating effects which such liquours produce on the melancholy and torpid frame of the savage. As strong liquors awaken him from this state, give a brisker motion to his spirits, and enliven him more thoroughly than any other stimulus, no wonder * his love of them should be excessive. This passion, however, is not universal; several of the Asiatic and African nations, as the Arabs † and the ancient Lybians, and indeed the present inhabitants of that country—who, although not absolute savages, are still in a very imperfect state of civilization—use no fermented or spirituous liquors at all, nor any substitute for them; and have a religious law or precept for the prohibition of any such, which has subsisted nearly as ‡ long as we have any accounts of that part of the world. It is, indeed, hardly just to draw precise and determinate conclusions from the liking of savages to a thing brought to them from abroad, and which must of necessity be rare: novelty has, in such a case, a powerful attraction, especially in hot climates; and this, joined to its scarcity, which renders it only procurable by the chief persons, may make it more sought than the disposition of the inhabitants would naturally incline.

Gaming is another vice, which some very respectable writers || have represented as being connected with a savage state. It certainly often occurs in such a condition of life, and is partly owing to the idleness which prevails in that situation: partly may be subservient, as well as drinking, to dispel that cloud and melancholy which indolence is so apt to induce. But

* Robertson's America, vol. i. p. 398.

† See note, book i. ch. xxii. § 3.

‡ It subsisted in the time of the Carthaginians.

|| Robertson's America, vol. i. p. 396.

I question if this passion be so universal as is imagined; and believe that it is principally prevalent in cold climates, where something is requisite to excite the passions, and set a heavy, inactive machine into motion. It is worthy of remark, that the games played by savage people, are * all games of chance, and not of skill; and, in general, where the chance is quickly decided. The stake they play is likewise considerable. Thus Tacitus || tells us, that the Germans were passionately fond of playing with dice; and the American savages are particularly fond of games of † hazard. Both these people, when engaged at play, ventured their whole fortune, and, when that was lost, their persons also, and submitted to a voluntary captivity. Their violence of temper, and vehement ardour in pursuit of what they desire, as well as their ignorance, is pointedly expressed by these circumstances in their history.

Several authors ‡ have accused rude nations of inconstancy, and want of faith in their dealings and contracts, especially those of a public nature. But I believe this charge not to be altogether well founded. That they may not, through ignorance of their nature, affix precisely the same ideas to their contracts that are habitual to civilised nations, I shall not dispute, as it requires, perhaps, a considerable degree of cultivation to comprehend exactly the scope and extent of engagements of this kind. But I do not believe that savage nations, in general, are deficient in moral qua-

* Helvetius on Man, vol. i. p. 129.

|| Taciti German. cap. xxiv.

† Robertson's America, vol. i. p. 396.

‡ Peritus omnis barbaricæ, & præcipue earum gentium in quibus per tot annos militabat, perfidiæ.—Livii lib. xxv.

Memor quam vana & mutabilia barbarorum ingenia.—Livii lib. xxix.

——per inducias infidi; inconstantes.—Ammian. Marcellin. Descr. Hunnorum.

Fluxâ ut est barbaris fide.—Tacit. Hist. l. iii. c. 48.

lities of this nature. Herodotus § tells us, that the Arabians were remarkably tenacious of their word and contracts. The barbarous nations, who subverted the Roman empire, were rigid observers of their promises. Veracity, also, was a characteristic quality of them; and from thence were derived many of our ideas of modern honour ‡; which was indeed founded, in a good measure, on a strict adherence to truth.

These qualities are equally remarkable in modern savages. || Mr. Kalm says, that no one is so rigid in keeping his word as a savage: and * Mr. Ulloa gives the same character of the Indians of South America.

A violence of temper, and the breaches of the laws of society incident thereto, may also be considered as belonging to this way of life. The course of justice, in such a state of society, must of necessity be very imperfectly conducted; the natural consequence of which is, that every man, in his individual capacity, becomes the avenger of his own wrong, and the vindicator of his own right. This state of civil government naturally introduced a similar conduct into private life, to which also the custom of intoxication not a little conduced. This last is, indeed, carried to such a height, that a man is by them scarcely thought accountable, in his sober mood, for what he did in heat of passion, or in time of a debauch.

This disposition to sudden violence prevailed much among the

§ Herodot. lib. iii.

Strabo says, that the Massagetæ were observant of their agreements, and devoid of fraud and deceit. Lib. xi.

‡ Sp. of Laws, book xxviii. ch. 20.

The barbarous nations reproached the Romans with lying and falsity. When they wanted to express their opinion of the bad qualities of an enemy, falsehood particularly, they called him a Roman.—Robertson's Hist. ch. 5. vol. i. n. 2.

|| Kalm's Travels, vol. i. p. 77. 8vo. Lond. 1772.

* Ulloa's Voyage to South America, book viii. ch. 9.

ancient Germans †, who, we are told by Tacitus, were subject to frequent outrages * of this kind, and some of them very gross in their nature; which, however, appear to have no || penalty affixed to them in this state of society.

The North ‡ American Indians are exactly in a similar state.

It is difficult to reconcile this part of the character of savage nations with the apathy or insensibility before ascribed to them; but it should be considered, that this apathy, joined with ignorance, leads to the performance of actions, without considering their consequences; and also stifles that remorse, which, in minds endued with sensibility, naturally succeeds the commission of any improper deed.

The manners of savages, in point of behaviour, are next to be considered.

Though unacquainted with the formality of ceremonial, savages are not always destitute of civility, and, indeed, politeness of external behaviour. Tacitus describes the behaviour of the ancient § Germans as courteous to strangers; and the North Ame-

† In other respects the Germans were humane and merciful.—Pompon. Mela.

* Crebræ ut inter vinolentos rixæ, raro conviciis, sæpius cæde atque vulneribus transiguntur. — Taciti Germania, cap. xxii.—See too Diodorus on the Gauls, p. 212.

It appears from Horace, that the Thracians, whose manner of life much resembled that of the Germans, were very quarrelsome in their cups.

Natis in usum lætitiæ Scyphis
Pugnare, Thracum est: tollite barbarum
Morem; verecundumque Bacchum
Sanguineis prohibete rixis.

Horat. Carmin. lib. i.

|| Verberare servum, ac vinculis & opere coercere, rarum. Occidere solent, non disciplina et severitate, sed impetu & ira, ut inimicum, nisi quod impune.—Taciti Germania, cap. xxv.

‡ When their passions, naturally strong, are heightened and inflamed by drink, they are guilty of the most enormous outrages; and the festivity seldom concludes without deeds of violence or bloodshed.—Robertson's America, vol. i. p. 339.

§ Victus inter hospites comis.—Tacit. Germ. cap. xxii.

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rican Indians are, according to Charlevoix, and others, affectionate in their carriage, and tender in their regard; which last they have the faculty of expressing with great propriety, and even elegance.

When I beheld, says * Mr. Carver, on an occasion of this kind, the artless, yet engaging manners of this unpolished savage, I could not help drawing a comparison between him and some of the more refined inhabitants of civilised countries, not much, I own, in favour of the latter. Nor is the cause of this style of manners difficult to be traced to its source. The equality of the people, in point of rank, causes every man to be an object of respect and consideration to another. There is here no room for the arrogance of birth, privileges of rank, or precedence of dignity. It is with them a maxim, that no man is naturally under any obligation to another; and consequently, that he is not obliged to bear with any imposition or unequal treatment. This naturally produces from every one a behaviour suitable to that which he thinks himself entitled to from others; and, as no one has a right to expect, in a society of equals, greater attention than he pays, so here the rules of civility are enforced, even from motives of pride and interest, which, in polished communities, produce directly opposite effects.

The vindictive and jealous disposition, likewise, of these people, is so well known as to put each person on his guard with respect to another, as he is certain that any insult or affront, however slight, would be sure to be remarked and revenged.

There are, besides, some peculiarities in the manners of people in this state, that require to be noticed. Thus savages are, in general, dirty † in their dress, bodies, and victuals. This has been observed of them from great antiquity, and is not less true in the

* Carver's Travels, p. 68.

† *Victus asper & munditiis carens.*—Pomp. Mela descript. *Africæ interioris.*

In omni domo nudi atque fordidi, in hos artus & in hæc corpora quæ miramur excrescunt.—Tacit. Germ. cap. xx.

present * times. The reason of this may be easily apprehended. The insensibility of these people in respect to delicacy, their want of the conveniences of life, that conduce to cleanliness, together with the idea that an attention of this kind is connected with effeminacy and cowardice, prevent its being so much regarded as among civilised nations.

Taciturnity is likewise another quality incident, I believe, to savage nations—though of this I am not certain. Justin has remarked the taciturnity || of the Parthians, who were at that time in a very rude, although not a savage state; and the ancient Germans appear to have been of a similar disposition. The same turn is discoverable among the American Indians. When not engaged in action, they often sit whole days in one posture without ever opening their lips. When they go forth to war, or to the chase, they usually march in a line, at some distance from one another, without exchanging a word. The same profound silence is observed when they row together in a canoe. It is only when they are animated by intoxicating liquors, or roused by the jollity of the festival and dance, that they become gay and conversible. The other circumstances attendant on this way of life, explain sufficiently this part of the character of a savage. The apathy with which they are endued, prevents their being affected with many of the impressions which occur frequently in life, and give birth to observation and discourse: with which insensibility, his ignorance, and the uncultivated state of his faculties in general, not a little concur. His pride too has a great share in promoting this disposition, as we see by many instances that occur often in civilised life, in which this passion is seldom carried so far as it is in a savage state. Hospitality is another part of the manners of people in this condition of life. This is owing in a great measure

* Carver's Travels, and indeed all the modern accounts of savages.

|| — Natura taciti, ad faciendum quam ad dicendum promptiores, proinde secunda adversaque silentio tegunt.—Justin, l. xli.

to the smallness of the * population, to which I have before ascribed it. Another question of great importance, relative to savages, regards the condition of women in that state of life. This subject has been already treated in a masterly manner by Dr. Stuart, in his *History of Society in Europe*; to which, for a more full account, I shall refer the reader. A slight sketch, however, of the most remarkable circumstances that occur to women in that state, may not be improper. Several † writers of eminence have described the female sex, in a savage condition, as in a state of abject servility, from which they emerge not until the period of separate and distinct property.

But this notion, like many others, degrading to human nature, appears to have been too hastily adopted, and to want that support from fact and experience that alone can establish it. That state of society, as Dr. Stuart well remarks, which is antecedent to the knowledge of extensive property, and of the debasement that arises from refinement and commerce, is, in a high degree, favourable to women. It is inconsistent with the elevation of sentiment which then prevails, to treat them with harshness or cruelty. These passions are reserved for their adversaries only; and are not exerted against those with whom they are united in society and connection, and between whom, and themselves, there subsists so many mutual obligations. Instances of the influence of women, on the contrary, are very numerous in such societies.

The ancient ‡ Germans had a peculiar respect and veneration for women. Velleda, Aurinia, and many others, were held by them in the rank of divinities. Their remonstrances and exhortations have often roused the fainting courage of the soldiers. They were thought the best judges of military merit; and their esteem

* See book iv. ch. 2. of this work.

† See Dr. Millar on the Distinction of Ranks in Society, ch. i.—Lord Kames' *Sketches of Man*, vol. i.—Robertson's *Hist. of America*, vol. i. p. 318.

‡ Taciti *Germania*, cap. viii.

and commendation implied the || highest praise. Their opinion was much respected with regard to * political affairs; and they were reckoned the most secure hostages that could be taken. Other nations, in like circumstances, have shewn a similar regard for the sex. To deliberate in public, on national concerns, was a privilege of the women, in the Gothic and † Celtic tribes, which also they enjoyed in the early ‡ ages of Greece. And to this day the same custom continues in several parts of § America.

In the latter of these the women are, in many states, the sole arbiters of the fate of the prisoners, as it depends entirely on their reception of them, whether they shall be spared and adopted, or put to a cruel death.

Another instance of the regard paid to women in civil life, is, that when a divorce ** takes place among them, the woman is allowed the larger share of children, where the number is odd, children being there esteemed a valuable property. In several of the †† nations, a man undergoes a voluntary servitude, in the family of his mistress, for a year, before he is allowed to marry her. Numerous instances besides, of this respect to women, may be produced; but the above, I trust, are sufficient.

S E C T. III. *Effects of a savage state upon the intellects.*

It is the remark of an able historian |||, that the progress of the understanding in the individuals of the human species, from infancy to childhood, and from childhood to vigour and maturity

|| Taciti Germania, cap. vii.

* See Mallet's Northern Antiquities, translated, 8vo. 2 vol.—vol. i. p. 317.

† Plutarch. de Virtute mulierum.—Polyæni Stratagem, lib. vii.

‡ Goguet, part ii. book 1. ch. 4.

§ Charlevoix Journal, hist. lat. 13—18.—Lafitau, tom. i. p. 477.

** Carver's Travels, p. 372.

†† Ibidem, p. 373.

||| Robertson's America, vol. i. p. 308, 309.

of understanding, bears some resemblance to the general advance of improvement in the species at large. Thus in the early ages of society, when the condition of man is simple and rude, his reason, like that of a child, is but little exercised; and his desires contracted within a narrow sphere. Hence arise two remarkable characteristics of the human mind in this state:—Its intellectual powers are extremely limited; its emotions and efforts are few and languid. Both these distinctions are conspicuous among the American tribes, and constitute a striking part in their description. But I believe that this observation, however plausible and ingenious, is carried rather too far; and that the analogy between the species and the individual, has in some measure contributed to mislead this eminent writer. It may, perhaps, hold true where the savage state is carried to an extreme degree, as among such people as the Fenni of Tacitus, the Ichthyophagi of Diodorus, or the inhabitants of Terra del Fuego, described by modern travellers; but is by no means true, in the degree here represented, of several nations who still come within the description of savages.

Their intellectual powers are, indeed, confined in number and extent, and applied in a different manner, and to different purposes, from ours. They are also defective in method and arrangement; circumstances which, it is well known, set off, even in polished society, moderate abilities to great advantage. But, in many instances, the intellectual powers of savages appear to gain strength from their being applied to few objects, upon which their faculties are at liberty and leisure to dwell and examine. Even their apathy, or insensibility, while it lessens the scope of their enquiry, causes them to comprehend more fully those objects which are sufficiently powerful to impress their senses, and renders the impression more durable, as it is not likely to be effaced by others.

Thus it is remarked, by * the same writer, that however narrow

* Robertson's America, vol. i. p. 402.

the bounds of the knowledge of a savage, he thoroughly possesses that portion of it which he has attained. It is not with him the result of formal instruction, nor is it considered by him as matter of speculation or curiosity. His knowledge is all practical, derived mostly from his own experience, gained at his own hazard, and suited to his situation of life. In the active and dangerous occupations of war, and of hunting, he often finds himself in a situation in which general instruction would avail him little. Every step he takes must be directed by his own sagacity, often unassisted by previous knowledge of events of a similar nature, and relying solely on his own penetration to discern the advantage, or to avoid the hazard. However limited then the scope of the capacity of a savage may be, many instances occur, in his situation, for the exertion of original genius, and exercise of abilities much superior to the generality of what appear in civilised life; where a certain routine of practice, and following exactly the steps of others, are usually found the surest roads to riches and distinction.

But the intellectual qualities of savages will be better understood by being treated more in detail.—Every device which man's ingenuity has invented for the taking of animals that are valuable, either for food or for their skins, is put in practice by the American Indians. They discern the tracks of the beasts; they pursue, when imperceptible to every other eye; and when they attack them openly, their arrow seldom errs from its purpose. If they attempt to circumvent them, their stratagems are not less successful. Their dexterity in catching fish is equally admirable. They have a poison for fish, as well as for land animals, which enables them to seize their prey, and at the same time does not in the least injure it for the purposes of food.

But the principal display of their ingenuity is in some circumstances relative to navigation. The Esquimaux Indians, who, in several respects, are the most savage of any of the tribes, exhibit
great

great skill in this way. One of these people, shut up, like the Greenlander, in his boat of whale-bone, will venture upon the most tempestuous ocean, on which, perhaps, no other vessel could live. The Canadian savages form boats from the bark of trees, in which, however fragile in appearance, they perform long voyages. Other nations hollow trunks of trees for the same purpose: and though these vessels appear rude and unwieldy, they are capable of being managed with great celerity; and in every respect adequate to the purpose for which they were intended. The balza, or raft, used by the Indians of South America, is still more admirable, both in its construction and its uses. Though apparently rude and simple in its formation, it is able to perform all the motions of a regular ship, and even to go long voyages †. The flying Proa ‡, in the same country, exhibited new principles of the arts both of navigation and building of ships, and was capable of sailing with a degree of swiftness much superior to any European vessels. The people || of Otaheite, and the neighbouring islands, astonished the Europeans with their dexterity in navigation, and the numbers and size of their vessels; to which they added no inconsiderable knowledge both of geography and astronomy.

The natives of the new * Archipelago, in the Indian ocean, had not only a knowledge of the geography of their own neighbourhood, but also the faculty of describing them in the way of a chart or map, formed by stones of different sizes, placed at proportionable intervals from one another.

As war itself is a science, and one much studied by savages, I shall here add a few words on that subject.—The mode of carrying

† Ulloa's Voyage to South America.

‡ Anson's Voyage.

|| Forster's Observations, sect. viii.

* Phil. Trans. Motte's Cont. part iv. p. 191.

on war among savages has been variously described by several eminent writers. Lord * Kames has advanced it as his opinion, that our European ancestors, at a time when they were undoubtedly in this state, relied on open force, and were averse from deceit and stratagem. The same opinion appears to have been adopted by Mr. † Gibbon. On the other hand, Dr. ‡ Stuart maintains the contrary, and asserts that a reliance on artifice and surprize, in military operations, was not only in use amongst our German ancestors, but is also characteristic of rude nations in general. The truth, I apprehend, here lies between the two extremes, or rather, that the cause of this difference has been mistaken. It is sufficiently clear, both from history and experience, that savage nations are prone to open violence, and eager to decide a contest by force. On the other hand, it is no less true, that several of them have practised many arts to deceive their enemies, which is falsely attributed to their want of active || courage.

Polybius

* Sketches of Man, vol. i. p. 23, 24.

† History of the Decline and Fall of the Roman Empire, ch. ix.

‡ View of Society in Europe, p. 160.

|| I am so far from according with this opinion of the ingenious author of the Sketches of Man, that I rather believe that savage nations in general abound in active courage, and are deficient in passive. Active courage occurs naturally, to a person unused to any restraint upon his passions, and accustomed to act from the first impulse; but passive courage—at least that branch of it that teaches people to endure misfortunes with patience, and to endeavour to repair them—is the result of consideration, experience, and a habit of self-command. It is observed of savages, that they are apt to presume, and despair, on slight grounds; and surely this character is more agreeable to an active than a passive courage.—Ammianus Marcellinus has drawn a fine contrast, in this respect, between the Romans and the barbarians.

Alemanni robusti et celsiores; milites usu nimio dociles: illi feri et turbidi; hi quieti et cauti: animis isti fidentes; grandissimis illi corporibus freti.—Amm. Marc. l. xvi. c. 12.

What proves farther, that savage nations are superior in active courage to what they are in passive, is, that although they shew the greatest bravery in battle, they cannot endure sickness, and even frequently, through impatience under it, put an end to their

Polybius * observes of the Gauls, that they were very dangerous in their first attack, but if that could be resisted, they were no longer formidable; and adds, that in every thing they attempt, they are hurried on by the force of their passions, and never submit to right reason. Livy † tells us, that the Romans, at the time of the war with Pyrrhus, were famous for, and valued themselves upon, their enterprising courage, and their professing to depend more upon valour than artifice. The same author remarks the ‡ eagerness of the Gauls to come to an engagement, and their || impetuosity in their first attack; and observes, that in the beginning of a battle they were more than men, and at the end less than

their lives. This was observed of the savage nations of antiquity, and is the case at this day. The cause of this difference is finely explained by Cicero, in his *Tusculan Questions*.

“Atque imprimis meditemur illud, ut hæc patientia dolorum, quam sæpe jam animi intentione esse dixi firmandam, in omni genere se æquabilem præbeat. Sæpe enim multique aut propter victoriæ cupiditatem, aut propter gloriæ, aut etiam ut jus suum et libertatem tenerent, vulnera exceperunt fortiter et tulerunt: iidem omiſſâ contentione, dolorem morbi ferre non possunt. Neque enim illum quem facile tulerant, ratione aut sapientia tulerant, sed studio potius et gloriâ. Itaque barbari quidam, et immanes, ferro decertare acerrimè possunt, ægrotare viriliter non querunt. Græci autem homines non satis animosi, sed prudentes, ut est captus hominum, satis hostem aspicere non possunt, et iidem morbos toleranter atque humanè ferunt. At Cimbri et Celtiberi in præliis exultant, lamentantur in morbo. Nihil enim potest esse æquabile quod non a certâ causâ proficiſcatur.”—*Tusc. Quæst.* l. iii.

* Book ii. ch. 2.

† Hæc ut summâ ratione acta magna pars senatus approbat; veteres et moris antiqui memores negabant se in ea legatione Romanas agnoscere artes, non per insidias et nocturna prælia, nec simulatam fugam improvisosque ad incautum hostem reditus, nec ut astu magis quam vera virtute gloriarentur bella majores gessisse indicere, priusquam gerere solitos bella denunciare, etiam interdum locum finire in quo dimicaturi essent.—*Livii*, lib. xlii. sect. 47.

‡ Gens ferox, et ingenii avidi ad pugnam, lib. vii.

|| Gallos primo impetu feroces esse—primæque eorum prælia plusquam virorum, postrema minus quam fœminarum esse.—*Lib.* xii.

Dion Cassius, lib. xxxviii. gives a nearly similar character of the Germans.

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women.

women. In another place, he introduces * the consul informing the soldiers, that if they could resist the first assault of the Gauls, which was generally a blind effort of passion and violence, that they would fall an easy prey to their attacks.

It does not appear, from the accounts given by Cæsar, that the Gauls used any great artifice or deceit in their wars with him; and the character of them, given by † Strabo, plainly expresses a contrary disposition.

The account of the Germans by ‡ Tacitus, appears to favour this opinion. He tells us, that the most admired qualifications of a general, and those to which he owed his authority in the army, were—to be ready on all occasions to manifest his courage—to be conspicuous in the battle—and to fight in the front of the army: qualities very different from deceit and stratagem, neither of which are mentioned as necessary to the character of one in that station. Lastly, the modern ideas of honour, which disclaim any advantages of the latter kind, and are founded entirely upon a trial of courage, and a combat on even terms, and which were undoubtedly derived from a northern original, argue very strongly that such ideas were general among that people, and that their military operations were directed by that rule.

* Jam usu hoc cognitum est, si primum impetum, quem fervido ingenio et cæca irâ effundunt, sustinueris, fluunt sudore et lassitudine membra; labant arma; mollia corpora, mollis ubi irâ confedit animus, sol, pulvis, fitis, ut ferrum non admoveas, prosternunt.—Livii, lib. xxxviii.

Strabo says, “that the Gauls are intrepid but negligent,” lib. vii.

“The whole Gallic nation is inflamed with military ardour, and a desire of war, and particularly that of coming to an engagement.—Strabo, book iv.

† “The Gauls, except their strength and bravery, have no military talents.”—Strabo, book iv.

‡ Duces exemplo potius quam imperio; si prompti, si conspicui, si ante aciem agant, admiratione præfunt.—Tacit. Germ. c. vii.—Ammianus Marcellinus describes all the rude and barbarous nations as of this disposition, lib. xvi.

It

It is nevertheless certain, that arts of deceit and stratagem in war, have been, and are still, used among some rude nations. Tacitus mentions, that the Aarii || blackened their shields, coloured their bodies, and made use of dark nights for their attacks on the enemy. It should, however, be remarked, that this was only the description of a particular tribe among the Germans, and by no means a part of their * general character, as Dr. Stuart † seems to insinuate. The cause of this difference of disposition I take to be what I before noticed, the various degrees of population and numbers in each nation. I have no doubt that open force and violence are more natural to the character of a savage; but allow, at the same time, that other circumstances may render it necessary to suppress this disposition, and embrace another method of making war. When the barbarous people took the field in large bodies, as in some of the invasions of Italy by the ‡ Gauls, &c. they did not appear to have practised any art or stratagem: they were even addicted to single combats and challenges, from which they drew inferences concerning the fate of the battle. Thus the tribune ||| Valerius Corvus killed a Gaul, who challenged any of the Romans to fight in single combat, in the front of the battle, before the general engagement. Titus Manlius ** did the same, and about the same period of time, and from the spoils he gained in that engagement, acquired the surname of Torquatus. Virido-

|| Nigra scuta, tincta corpora, atras ad prælia noctes legunt.—Taciti Germania, cap. xliii.

* The Germans were, in general, so far from wearing black shields, that they ornamented them with the choicest colours.

Scuta lectissimis coloribus distinguunt.—Tacit. German. cap. vi.

† Book iv. ch. 2.

‡ Strabo says of the Gauls, that their violence of temper and conduct proceeded partly from a confidence in their bulk and strength, and partly from a reliance upon their numbers, lib. iv.

||| Livii, l. vii. c. 26.

** Idem, lib. vii. c. 10.

marus †, king of the Gauls, gave a like challenge to Marcellus, and was slain in the combat with him. Boiorix ‡, king of the Cimbri, came to the camp of Marius, to challenge him to appoint the time and place for a battle, and they agreed upon the plains near Vercellæ.

When the numbers are great, the comparative consequence of every individual is diminished, so that his loss is of less importance to his party; and in such circumstances the natural disposition takes place, and the war is carried on in the manner most agreeable to it. But when the numbers are small, every individual becomes of consequence; and it is of importance, not only to himself, but also to his country, that he should be as careful of his life as possible.

I am still inclined to think, that the climate has here some influence, and that all nations who come from a cold country, whether savage or civilised, have a greater tendency to decide disputes by open force, than those who inhabit hot ones. It has nevertheless been found, that all rude nations, for want of the advantages of discipline, and regularity of military conduct, however patient they may be of fatigue, and however qualified, by their stratagem and valour, to inspire terror into the armies of a more regular enemy, yet, in the course of a continued struggle, always || yield to the superior arts and discipline of more civilised nations, except when the latter have been highly corrupt and effeminate. Hence

† Plutarch's Life of Marcellus.

‡ Plutarch's Life of Marius.

|| Strabo makes this observation of the Gauls.

When enraged, they march openly, and in a body, to battle, and do this in a very careless and improvident manner; whence it happens that they are easily circumvented, if any enemy chuses to employ against them any military policy or cunning; for it is in the power of any enemy to draw them to an engagement at any time, and in what situation he chuses, as they are furnished with none of the necessary provisions for war, besides courage and strength.—Strabo, book iv.

the

the Romans were able to overrun the provinces of Gaul, Germany, and Britain; and hence the Europeans have a growing superiority over the nations of Asia, Africa, and America.

The proficiency, however, in general, in arts, above described, certainly argues no defect in the intellectual faculties of savages. Perhaps our own improvements might not, in several instances, have extended much farther, had it not been for the discoveries of the compass, the use of metals, and some others; all which were probably at first accidental, and by no means marks of any superiority of genius or learning in the inventors. Nor are the intellects of people in this state contemptible in other circumstances, wherein the mind is more immediately, and indeed solely concerned. Thus savages are in many instances found to possess great art and cunning, considerable knowledge of character, and deep penetration into the thoughts and intentions of those with whom they have to deal. We are told by Dr. * Robertson, that their craft and dissimulation is such, that when set upon deceiving, they wrap themselves up so artificially, that it is impossible to penetrate into their intentions, or to detect their designs.

It must, however, be acknowledged, that the above character of savage nations, in point of dissimulation, is far from being universal, and not at all applicable to the northern nations † of Europe.

Nor do their talents appear to less advantage in a political light, according to some writers. The council of old men, in an American tribe, deliberating upon its interests, and determining with regard to peace or war, has been compared to the senate in a more

* Hist. of America, vol. i. p. 409.

† Tacitus says expressly of the Germans, that they were not endued with art or cunning, but that all their conceptions were of a great and simple kind: and Strabo says, the Gauls were accustomed to act openly, and without much premeditation; which agrees nearly with Tacitus's character of the Germans.

polished republic. The proceedings of the latter are said to be not more sagacious and formal than those of the former. Much political wisdom is said to be shewn in pondering the various methods proposed, and in balancing their probable advantages against the evils of which they may be productive. Dr. Robertson, indeed, is of opinion, that the political knowledge of savages is in these accounts much over-rated, and that the perpetual enmities between several of the clans of savages, and the want of commercial intercourse between others, together with their own thoughtless and improvident conduct in private life, tend much to narrow their sphere of action, and to render it probable that their political talents are not any ways extraordinary. It is, however, possible, that as their abilities may have been too much cried up on the one hand, they may have been too much depreciated on the other. The Gauls appear, by the accounts of * Livy and † Cæsar, to have had a just conception of their national interests, particularly of the balance of power; and Tacitus's account of the ‡ Germans is not less favourable. Even the Americans, whom this writer adduces as an instance on this occasion, appear in many instances to have been by no means defective, either in understanding or in pursuing the interests of their country. When the Europeans made their first settlements in America, six such nations had formed a league, had their Amphyctions or states general, and by the firmness of their union, and the ability of their councils, had obtained an ascendant from the mouth of the river St. Laurence to that of the Mississippi. They appeared to understand the objects of their

* Livii, lib. xxi.

† Cæsar. Comm. lib. vi. cap. 7. § 12.

‡ Multum ut inter Germanos rationis et solertiæ : præponere electos ; audire præpositos ; nosse ordines ; intelligere occasionem ; differre impetus ; disponere diem ; valla noctem ; fortunam inter dubia, virtutem inter certa numerare. quodque rarissimum, nec nisi disciplinæ concessum plus reponere in duce quam in exercitu.— Taciti German. cap. xxx.

confederacy, as well as those of the separate nation. Even the balance of power, a thing thought to have been almost peculiar to European politics, was much studied among them. The statesmen of the several nations understood how to watch the designs and oppose the attempts of any of the confederate nations, that seemed to arrogate to itself too large a share of power or of influence, and knew how to check it, by throwing the weight of his tribe into the opposite scale. Their alliances and treaties were conducted in much the same manner with ours; which they kept or broke for similar reasons of policy. One political maxim of savages is of such antiquity, and so universal, that there is reason to believe it to be natural to this state of society. This is, to have a large waste frontier surrounding their territories.

Thus * Cæsar tells us, that the Suevi esteemed it the greatest honour to have the countries round about lie desolate; from whence they would have it inferred, that the united force of several kingdoms is not sufficient to oppose their single valour; in consequence of which, the country upon one side lies waste for six hundred miles together. In † another place he describes this maxim as general among the Germans; and a similar account is given of them by Pomponius ‡ Mela. The same idea, also, is adopted by the savages in North America. The reason above given by Cæsar for this practice, as being derived from motives

* Publice maximam putant esse laudem quam latissimè a suis finibus vacare agros; hac re significari magnum numerum civitatum suam vim sustinere non potuisse.
—Cæsar. Comm. lib. iv.

† Civitatibus maxima laus est quam latissimas circum se vastatis finibus solitudines habere; hoc proprium virtutis existimant, expulsos agris finitimis cedere neque quemquam prope se audere consistere.—Lib. vi.

‡ Bella cum finitimis gerunt, causas eorum ex libidine arcessunt neque imperitandi prolatandique quæ possident, nam ne illa quidem enixe colunt, sed ut circa ipsos quæ jacent vasta sint.—Pomp. Melæ desc. Germaniæ.

of national pride; may, perhaps, be one of the causes of this conduct; to which, may be added, that it contributes to their security; which is, indeed, mentioned by Cæsar ||: and moreover, as these people live by hunting, the more waste and desolate any country is, the more probability that it would be frequented by * beasts of the chase.

Even some qualifications, which we esteem to be matters of taste and elegance, and therefore least likely of any to be found in such a state, have been discovered among savage nations.

Thus the talent for eloquence, and even for poetry, is said to be found in high perfection among them. Every idea, every conception, is clothed in image and metaphor. "The bones of our deceased countrymen lie unburied," says an American orator †, "they call out to us to revenge their wrongs; and we must satisfy their request. Their spirits cry out against us, and they must be appeased. The genii, who are the guardians of our honour, inspire us with a resolution to seek the enemies of our murdered brethren. Let us go and devour those by whom they were slain. Let us console the spirits of the dead, and tell them they shall be revenged."

|| Simul hoc se fore tutiores arbitrantur, repentinæ incursionis timore sublati, quum bellum civitas aut illatum defendit aut infert.—Cæsar, lib. vi.

Ovid seems to hint at the same custom among the Getæ.

Quocunque aspicias, campi cultore carentes,
Vastaque, quæ nemo vindicet, arva jacent.

Epistol. iv. De Ponto, lib. i.

* A writer of eminence thinks, that the modern taste for parks is a remnant of this disposition of the barbarous nations. Parks, indeed, are said to be first introduced into this country in the time of Henry I. who made a park at Woodstock; but Sir Henry Spelman proves them to be of much higher antiquity. Parks, however, were in use in the eastern countries, as well as in the North.

Vide Spelmanni Gloss. *Vox Parcus & Deresfeld*.—Du Cange *Vox Parcus*.

† Carver's Travels, p. 299, 300, 302, 303.

What

What is the cause of this apparently extraordinary circumstance, is difficult to explain. Is it that the unbounded liberty, enjoyed in this state, inspires this daring freedom into the language and expression, as being the most proper terms in which such ardent sentiments could be delivered? or is it that his ignorance of abstract ideas causes him to form analogies between the objects which are always present before him, and those which occur to his understanding or memory—with which the scantiness of his language concurs—which compels him to express his sentiments in terms and expressions derived from visible objects?

Nor is it in the expression and sentiment only, that these compositions may be termed poetical. They are often expressed in a kind of rhythm or numbers, which, though not reduced to exact regularity of measure, is sufficient to come under the idea, though rudely, of versification. Cæsar *, whose judgment in matters of taste and science cannot be suspected, speaks of the songs of the Gallic Druids as poetical performances; and the same epithet is bestowed on the songs of the Gallic and German bards, by Strabo † and Tacitus ‡. Ammianus Marcellinus || and Diodorus § Siculus are more particular in this respect, and inform us, that these compositions were not only metrical, but also adapted to musical accompaniment; a circumstance which formerly, above all others, established a claim to the poetical character.

The same observation has been found to hold good of almost every nation in its infant state, and especially of those, who in a subsequent period attained to the greatest height of improvement. Thus Homer and Hesiod preceded any of the prose-writers in

* Cæf. Comm. lib. vi. § 14.

† Βαρδοὶ μὲν ὕμνῳνται καὶ ποιῶνται.—Strabo, lib. iv.

‡ Germania, cap. iii.

|| Et bardī quidē fortia virorū illustriū facta heroicis composita versibus cum dulcibus Lyræ modulīs cantitarunt.—Ammian. Marcell. lib. xv. cap. 9.

§ Diod. Sicul. lib. v. p. 213.

Greece, either moralists or historians ; and the first efforts towards the latter branch of composition among the * Romans, were probably of a poetical kind.

Dante, also, and Petrarch preceded any prose-writers of eminence in modern Italy ; and Corneille and Racine were prior to the age of good prose-composition in France. Even in our country, some of the most early literary performances with which we are acquainted were poetical ; and this mode of writing amongst us appears to have been brought nearly to its highest perfection, before any considerable advances were made in the other. Of this we have a remarkable instance in the greatest genius this country ever produced ; whose prose-compositions, in general, though fraught with good sense, strong reasoning, and often with nervous diction, are mostly uncouth in phraseology, obscure in expression, debased by vulgarisms, and deficient in harmony of period ; whilst his poetical works—though not quite void of scholastic diction, affectation of literature, and sometimes, though but seldom, vulgar expression—excel, not in plan, thought, sentiment, and character only, but also in purity of style, elegance of words and epithets, harmony and variety of numbers, not only all preceding writers, but all that have succeeded him. Indeed, his superiority in this way has been so remarkable, that few of our poets have ventured to tread in his steps ; and those that have attempted the same metre, though far from deficient in the poetical character, have shewn their own inferiority so much, as to deter others, in a great measure, from a similar † emulation.

* Nævius and Ennius wrote the Roman history in verse. Probably the *Annosa volumina vatum*, mentioned by Horace, *Epist. i. lib. 2.* might be of this kind.

† Dr. Young's *Night Thoughts*, and Thomson's *Seasons*, though sublime and beautiful performances in many respects, are so inferior to Milton in point of expression and harmony, as scarcely to be ranked in the same style of poetry with his compositions.

Even

Even the rude inhabitants of Otaheite, New Zealand, and several other places mentioned in Forster's voyage, appear to have been much addicted to poetical performances. They had evidently a rhythm or cadenced measure; and their poetry, which appears to have been both rhyme and blank verse. Many of them were likewise the production of the moment, like the ancient *Carmina Amœbœa*; and were, like them, accompanied with music. What the original motives were, that caused mankind to adopt this mode of expression, is not clear. Is it, that for want of a permanent record of any sentiment or transaction—such as is afforded by writing—they express themselves in such measures as may, with the least difficulty, be retained by the memory? or is it—which appears to be more probable—that the very cadence of numbers is natural to the language of sentiment, and serves best to express those ideas that naturally present themselves to men in this state of life. But although savages may, in certain cases, and on particular occasions, shew no inconsiderable marks of genius, or of understanding, their state and condition of life prevents their making use of them to advantage; and consequently make them appear much inferior, in these respects, to civilised nations. One of the principal circumstances that produces this inferiority in the savage, is the want of letters, or of the art of writing. Without this artificial assistance, the memory soon loses the ideas impressed upon it, whether of facts or sentiments; and, in consequence thereof, the judgment, deprived of its foundation, and of the materials on which it must operate, is apt to languish for want of use; and the other faculties, for the same reasons, must either be impaired in their powers, or at least exerted to great disadvantage. We might likewise add, that, for want of this assistance, savages are greatly deficient in profiting by the discoveries of others.

In a civilised country, one invention suggests ground for another, as the description of it may be accurately transmitted through a

series of ages; and what was at first only a speculative idea or sentiment, often gives occasion to the most important discoveries in practice. But the savage is destitute of this mode of information, or of being instructed from analogy. Nothing, that is not brought to a certain degree of perfection at once, is retained by them; as it soon goes out of use, and they have no methods of preserving the description, and consequently of improving upon it. Hence most of their utensils are extremely rude and awkward, and continue the same through a course of periods.

The taciturnity, likewise, and want of curiosity, in the savage, are great obstacles to his improvement, as they not only preclude mutual information, but also stifle, in a good measure, the desire of advancement; with which, indeed, their pride, and satisfaction with their own condition, not a little concur. The warlike disposition of savages is, I take it, another obstacle to the improvement of their intellectual faculties. Arms and letters, although united in some polished nations, have always been thought to be in some measure in † opposition to each other. The hardy warrior naturally held a character in contempt, that might be acquired without danger or fatigue, and consequently without courage or military skill. This, it is probable, caused the contempt and aversion which the northern nations, who invaded the Roman empire, shewed for all kinds of literature and science; and produced those devastations which we at present so much deplore. I am the rather inclined to this opinion of the effects of a military life upon the people, from the consideration of what took place at Sparta. The institutions of that nation—who were indeed a body of warriors—gave a professed contempt for whatever was not connected with the practical virtues of a vigorous and resolute spirit. The charms of imagination, and the parade of

† Quidam eorum sapientiam capere dicuntur quantumcunque gens capit semper armata.—Quint. Curt. l. vii. c. 8.

language, were, by this people, classed with the arts of the cook and the perfumer; they wished to cultivate in their people the active virtues, not a proficiency in science or literary taste.

S E C T. IV. *On the influence of a savage state upon the laws and customs.*

I shall consider the laws of savages, first, with respect to their communication with one another as nations; and in the next place, as to their intercourse as individuals. The first of these is the law of nations; and the second the civil or municipal law. Every country, even the most rude and uncivilised, has somewhat of a law of nations. They all send and receive ambassadors, and understand the rights of † war and peace in general. Indeed, people who live in this state of society, have frequent occasion to apply to the law of nations.

As the territories they inhabit have no determinate or visible boundaries, many causes of dispute must necessarily arise concerning the bounds of these limitations. This gives occasion to frequent wars, from the disputes about the places best suited to fishing, hunting, or pasturage of their cattle; whilst their domestic disputes, from no individual being possessed of landed property, are but few in number. Thus they have much to decide by the law

† When the Gauls were besieging Clusium, the Romans sent ambassadors to them to mediate between them and the Clusians. But the ambassadors not succeeding in their mediation, retired into the town, and encouraged the inhabitants to make an attack upon the Gauls; and one of them engaged personally in the battle, and slew one of the most distinguished of the Gauls. Brennus, the king of the Gauls, perceiving this, complained of a breach of the law of nations, that an ambassador had committed acts of hostility; and marched forthwith to Rome, demanding the ambassador to be delivered up to him. This the Romans refusing, though the heralds or Feciales insisted strongly on its being done, gave occasion to the battle of Allia, and the taking of Rome by the Gauls. This, however, is an instance of this rude people's understanding the laws of nations.

of nations, and but little by * the civil law. The notions, however, of many savage nations vary, in this respect, much from those of civilised ones; and are, indeed, founded upon different, and frequently false principles.

Thus it was common, as has been before remarked, among such nations, to make incursions upon the neighbouring states, though at peace, and carry off the cattle, and lay waste the territory; and such actions were esteemed, among the ancient Gauls and † Germans, and are still among the American Indians, to be deeds of glory and renown. The very same body of Gauls, who complained of the Roman ambassadors infringing the law of nations, in the instance before mentioned in the note, made no scruple to attack the ‡ Clusians, in order to compel that people to resign to the Gauls a part of their lands, on no better pretence than that of their having a larger portion than the Gauls thought they needed; and the like demand was made by several of the nations who invaded the empire in the latter ages. Even the rights of ambassadors—the most necessary circumstance towards carrying on a mutual correspondence between nations—are not, in all places, equally respected. The Gauls killed the || Roman messengers who were sent to treat about an exchange of prisoners; and the herald, who carries the declaration of war among the American Indians, incurs great risque of his life: and the same is true of one who carries proposals of peace, if the terms § are not accepted. The ideas of savages, relative to the

* Sp. of Laws, book xviii. ch. 12.

† Cæf. de bell. Gallic. lib. vi. cap. 22. — Taciti German. cap. xiv.—Lafitau, tom. ii. p. 169.—Carver's Travels, p. 300.

—— se in armis jus ferre & omnia virorum fortium esse.—Livius de Gallis loquens.

‡ Livii, lib. v. § 36.—Plutarch, Life of Camillus.

|| Polybius, book ii.

§ Carver's Travels.

treatment of prisoners, or of a conquered people, are very different from those of civilised nations. The former imagine, that the right of conquest implies a right of using the conquered people according to the will or † caprice of the victors; the latter think, that the conquered people, when subdued, are no longer enemies, but deserve to be treated as subjects. In consequence of these maxims, savages generally exterminate those whom they conquer; whilst civilised nations only alter the form of government and laws, and sometimes only assume the direction of the state, according to the old form.

The reasons of this difference of conduct remain to be explained.

Courage is a qualification so much respected among savage and barbarous people, that it affords not a moral only, but even a legal, excuse for almost every transgression, as will be shewn hereafter. Hence they were fearful of depressing the national spirit, by laying too great restraint on those actions that partook of activity and fortitude. The imperfect nature, likewise, of the civil government, and its impotency with respect to coercive power, prevented those restrictions being imposed upon individuals, which are usual in more regular and established governments. As to the infringement of the rights of heralds and embassadors, and the cruel usage of prisoners, &c. they are probably owing to the violence of temper which usually accompanies savages, and to their vindictive disposition. Political || motives also, such as have been already explained in the chapter on Population, have a considerable influence.

The municipal law of savages is but of small extent, either in the civil or criminal part.

† Ariovistus told Cæsar, that by the law of arms, he had a right to treat those he had conquered in any manner he thought proper.—Bell. Gallic. lib. i.

|| The Romans, although highly civilised, frequently took great steps towards the extermination of the people whom they conquered.

Where landed property is unknown, and moveable property little more than attends the person, few occasions are afforded for civil disputes. Personal injuries and affronts, however, frequently occur; but with respect to these it does not appear that the law often interferes. In such cases, every man is the legislator, judge, and party, and either takes satisfaction personally, by revenge or otherwise, for the injuries he has suffered, or submits to the wrong which he is unable to redress. It is doubtful if the magistrates among the ancient Germans had much authority in civil affairs, although something of this kind certainly subsisted in Gaul amongst the * Druids.

Among the American † Indians, even the office itself of magistrate ‡ is unknown. Indeed, judicial decisions, without a power to restrain and to punish, must be in themselves frivolous; and the excessive liberty which people in this state enjoy, renders all coercive power impracticable. It is with them an established maxim, that no man is accountable to any other person for his actions, or in the least degree liable to animadversion, either from individuals or the people in general. As, therefore, the independence of the individual is so great, as to prevent his acknowledging any right in

* Cæsar Comm. lib. vi.

† I suspect that this circumstance is in a great measure the occasion of the vindictive disposition we so often observe among savage nations. People who are themselves accustomed, in almost every instance, to judge of the degree of injury which they receive, and inflict the penalty for it—and to whom, likewise, it often happens, that they are unable to execute justice, from the strength of their adversary—are apt to become peremptory and revengeful. Having no tribunal to which to appeal, each person remains satisfied of the justice of his own cause, and waits only for an opportunity to exercise it. Their being obliged often to dissemble their intentions, for want of force to put them into execution, gives them a habit of retaining the memory of injuries. Add to this, that, as most of their injuries are personal, and the punishment or atonement can only be personal, it inspires a habit of hatred and dislike to particular people.

‡ The sachem or chief, among the Indians, never interfered in civil disputes. His province regarded public transactions only.

others to direct his conduct, it is evident there can be no laws, as there is no authority either to make or enforce them. Causes directly opposite, often produce similar effects. In despotic governments there are no laws, because all depends on the momentary will and caprice of the sovereign: among savages there are none, because all depends on the same qualities in each individual. In criminal matters, however, and those which affect the state, or public manners, some interference of the law has been introduced. Thus Tacitus informs us, that the ancient Germans punished several crimes with great severity, and even with death. The American savages, however, who seem to be in a less cultivated state, and indeed in a different style of improvement from the ancient Germans, though in several instances greatly resembling them, have not established any judicial authority even in such cases. If violence be committed, or blood shed, the right of avenging these misdemeanors is left to the family of the injured; the chiefs assume neither the power of inflicting nor of moderating the || punishment.

What mode of trial is most natural to nations in this state of life, I am at a loss to determine. The warlike disposition of the people induces me to think, that a trial by battle would be the most obvious, especially as they were constantly in arms; and accordingly we find, that this mode of decision was of the * highest antiquity among the barbarous nations.

And farther, the superstitious turn of mind that always attends ignorance and barbarism, would be very likely to produce a trial by some means of that kind. Indeed, the antiquity of such a trial is extremely great, it being mentioned in the Antigone of

|| Carver's Travels, p. 259.

* Livy describes a duel in Spain, to determine a dispute between two brothers, in the time of Scipio, lib. xxviii. cap. 21.—See also Velleius Paterculus, book ii. ch. 118.

Sophocles, to have been in use among the Greeks, and diverse methods of a similar kind were practised in later † times among barbarous nations. Even the trial by battle, which was probably at first of a military nature, became at last an instrument of superstition. It is somewhat extraordinary, that Tacitus, whose account of Germany is so accurate, should not mention the trial by battle as subsisting in that country. It certainly was in use about that time, as appears from ‡ Paterculus, and was also practised in || Gaul nearly at the same period; and a similar practice of the superstitious kind is related by Tacitus to have been in use among the Germans, in order to foretel the event of a war they were about to undertake. Another mode of decision, which was natural enough to a barbarous people, was, by the body of the people assembled in council; and this was really the method in use among the ancient Germans. But of this I have spoken * above.

Another mode of decision, very likely to be used by savages, in cases where there was no evidence of the deed or act, was by the oath of the defendant, or party accused. This appears to be of great antiquity: its original may be traced, as Sir William Blackstone observes, to the †† Mosaic law, in civil cases; and the tender of an oath by Menelaus ‡‡ to Antilochus, in Homer, when
he

† As the fire and water ordeal, judgment by the cross, the corsned, &c.

‡ Patercul. lib. ii. cap. 118.

|| Cæsar. Comm. lib. vi. cap. 12.

* See book iv. chapter 2, of this work.

†† Exodus, xxii. 10.

‡‡ But shall not we ourselves the truth maintain?
What needs appealing in a cause so plain?
What Greek shall blame me if I bid thee rise,
And vindicate by oath th' ill-gotten prize?
Rise, if thou dar'st, before the chariot stand,
The driving scourge high lifted in thy hand,

And

he accuses him of gaining the race by unfair means, is of the same kind. It appears, likewise, from the *Antigone* || of Sophocles, that it was in use in Greece at a much later period; and we learn from Diodorus * Siculus, that it was in some cases practised in Egypt. The northern nations, particularly the Germans, were likewise very fond of this mode of decision, which they endeavoured to strengthen by the joint testimony of others, who made oath of their belief of the veracity of the person accused. This was increased in proportion to the heinousness of the crime, inasmuch, that in some cases the number of people who were necessary to swear to the credit of the accused, amounted to three † hundred. This mode of trial subsists in possibility, though not in practice, in the law of England, to this day.

All the foregoing modes of decision appear equally natural to mankind in this state of society; and accordingly we find, that they have all of them been practised by nations in such a situation, and even in the same nation, and at the same time.

And touch the steeds, and swear, thy whole intent
Was but to conquer, not to circumvent;
Swear by that God whose liquid arms surround
The globe, and whose dread earthquakes rock the ground.

Homer's *Iliad*, book xxiii.

|| The guards accus'd each other; nought was prov'd,
But each suspected each, and all deny'd;
Offering, in proof of innocence, to grasp
The burning steel, to walk through fire, and take
Their solemn oath they knew not of the deed.

Antigone, act i. scene 2. Franklin's Translation.

* It was instituted by a law of Bocchoris, but only allowed in matters of debt, when there was no legal written evidence on the part of the plaintiff, exactly as the wager of law is at present with us.—Diodor. Sicul. lib. i.

† See the word *Juramentum* in Du Cange, where this subject is learnedly explained.—See also Wilkins *Leges Saxonicae*.—*Leges Athelstani*, p. 64.—& *Leg. Henric. Prim. Pagin.* 262, 263, 264, note.

What punishments are most usual among savages, is the next subject of consideration.

Barbarous or savage nations have, for the reasons given ‡ above, few capital crimes : some, however, they have, and those of a different nature from those so esteemed among civilised people. Thus cowardice was capital among the ancient Germans ; and among the other nations of the North it appears, that the idea of cowardice included that of every other || crime.

Consonant to these ideas, actions, accompanied with great exertion of courage and resolution, however atrocious they might be, were, as has been before remarked, mildly censured. Thus murder, among the ancient Germans, does not appear to have been capital by law ; and indeed it is doubtful, if it was at all a matter of public concern, although it was liable to be punished by private revenge. At any rate, it was capable of being compromised, or made up by agreement between the murderer and the relations of the deceased. Theft, likewise, when committed by force and * violence, was less severely censured than when attended with fraud or stealth, contrary to what † prevails in civilised countries.

As to the form or mode of punishment, I know of none peculiar to people in this state of life. Some of those in use among them were cruel. Thus Cæsar tells us, that Orgetorix § would have been burnt alive, had he not laid violent hands upon himself. The Gauls inflicted the *most cruel* punishments on those who secreted any part of the plunder taken in battle. The widow ††, like-

‡ See book iv. ch. 2.

|| This is evident from the laws of the judicial combat. A man who was proved a coward was supposed guilty of the crime of which he was accused, be it what it might.

* Sp. of Laws, book xv. ch. 14.

† Qui vi rapuit fur improbius videtur.—Lex Civil.

§ Bell. Gallic. lib. i.

†† Cæsar. Bell. Gallic. lib. vi. cap. 9. § 17, 19.

wife,

wife, was subject to be tortured, on suspicion of being accessory to the death of her husband, and, if found guilty, was put to death with the most horrid aggravations of cruelty. The punishments, however, among the ancient Germans, do not appear to partake of greater cruelty than is necessary to the privation of life.

I believe that corporal punishments, not extending to life, are but few among a people in this state. Some, however, there were. Tacitus mentions stripes and bonds, as usual among them; but these were only inflicted by the priests, and by them not so much as a punishment, as supposed to be by the || express command of the Deity; a contrivance probably intended to soften the disgrace of such a censure. It may seem inconsistent to speak of fines as one of the modes of punishment among nations of this kind. Undoubtedly, where property is entirely unknown, such a penalty can have no place. Thus fines could be no part of the criminal law among such people as the American Indians. But the ancient Germans made great use of fines in their system of jurisprudence; and among the northern nations, almost all the penal law was measured by this scale. The cause why this method of punishment was preferred, has been partly explained * before; to which may be added, that this mode was well adapted to the ideas of a brave people, endued with a high sense of honour, as it affected property only, and did not imply any personal affront or disgrace.

With regard to customs, the same independency of spirit that diminished the authority of the laws, prevents also the prevalence of custom. The wandering and transitory life also, that these people lead, prevents the permanence and uniformity of customs;

|| *Cæterum neque animadvertere, neque vincire, neque verberare quidem, nisi sacerdotibus permiffum, non quasi in pœnam, nec ducis juffu, fed velut Deo imperante.*—Taciti *Germania*, cap. vii.

* See book i. ch. 18. feft. 4. and book iv. ch. 2.

which

which are often, though not always, in a good measure † local, or connected with place and situation. The usage of most importance, that I recollect to be practised by savages, is that of going constantly armed. Thus Livy tells us, that the Gauls went constantly ‡ armed, even to council. The same custom is related by Tacitus of the || Germans, and had long before been esteemed a mark of barbarism by the * Greeks. Ammianus †† Marcellinus mentions the same custom as prevalent among some of the rude nations of the East; and a similar account is given by ‡‡ Josephus. This custom was also rigidly observed among the northern nations that subverted the Roman empire, from whom it has been transmitted to the present age, in which it still continues a part of dress on particular occasions.

The character before given of this people, will shew how naturally this custom was suggested.

The diversions, likewise, and amusements of a people in this state favour strongly of a military disposition. Tacitus ||| tells us, that it was the amusement of the German youth to leap naked among unsheathed swords and pointed javelins; and Athenæus * relates, that the Celtæ were accustomed to mock engagements, in which, notwithstanding, wounds and death sometimes followed.

Another amusement, of less importance than the former, but

† This is the idea affixed to custom in the law of England. "Custom is a local usage, and not annexed to any person."—Comm. book ii. ch. 17.—and Co. Litt. 113.

‡ Armati (ita mos gentis erat) in concilium venerunt.—Livii, lib. xxi. cap. 20.

|| Taciti Germania, cap. xiii.

* Thucydides says, that this custom had its origin from the old custom of robbing and plundering, book i.

†† Lib. xxiii. cap. 6.

‡‡ Josephi, lib. xviii. Antiq. cap. 3.

||| Germania, cap. xxiv.

** Athenæi, lib. iv.—This was supposed to be the amusement of the departed spirits in the next world.—See Mallet's Northern Antiquities.

very general among savage nations, is that of dancing. This is a favourite diversion with them, and for the same reasons that have been given for their fondness for war, and for strong liquors. As a great part of their time languishes away in listless indolence, without any occupation to rouse or interest them, they delight universally in a pastime that calls forth the active powers of their nature into exercise. Many of the ancient writers have taken notice of this disposition of them. Hanno † remarks, in his *Periplus*, that a custom of this kind, attended with music, was frequent on the coast of Africa; and a similar account is given by Pliny ‡ of the same country. Livy || likewise tells us, that dancing to music, attended with singing, was an ancient custom among the Tuscans, and from them adopted as a religious ceremony by the Romans; who, indeed, derived most of their customs of that kind from Etruria. Athenæus * likewise gives an account of a remarkable military dance among the Thracians.

Modern accounts are exactly agreeable to this. The modern inhabitants of Africa are passionately fond of dancing; and the principal amusement of the Asiatics, those of the East Indies § particularly, is in admiring the feats of their dancing women. This passion is at least equally strong among the Americans. It is there a serious and important occupation, which mingles in every occurrence, both of public or private life. The reciprocal intercourse between the different nations; the denunciation of war;

† Vide Hudsoni *Geograph. Veter. Script.*

‡ Noctibus micare crebris ignibus tiliarum cantu tympanorumque sonitu strepere.—Plin. *Hist. Natur.* de Monte Atlante loquent.

|| Sine carmine ullo, sine imitandorum carminum actu, ludiones ex Etruria acciti, ad tibicinis modos saltantes haud indecoros motus, more Tusco dabant, imitari deinde eos juvenus, simul inconditis inter se jocularia fundentes versibus, cœpere; nec absque a voce motus erant.—Livii, lib. vii. sect. 2.

* Athenæi, lib. i. p. 15. edit. Casaubon.

§ See Mrs. Kindersley's *Letters from the East Indies.*

the appeasing the wrath of the Gods, or the return of gratitude to them for their beneficence; are all expressed by dances adapted to the occasion. The circumstances, likewise, that occur in private life, are no less subject to the same ceremony. If they rejoice for the birth of a child, or deplore the loss of a friend, they have dances appropriated to each of these events, and suited to the different sentiments with which they are animated. In short, scarce any occasion in life can occur, which has not some dance ‡ affixed to the expression of it.

Another custom or practice peculiar to people in a very rude state, is that of painting the body with diverse colours, figures, &c. This custom is of great antiquity, and extremely general. || Herodotus speaks of it as prevailing among the Lybians; * Julius Cæsar mentions the same practice among the ancient Britons; and † Ammianus Marcellinus among some of the Sarmatian nations.

Several of the savage nations on the Asiatic and African coasts follow the same practice to this day; and a mode of dress, if it may be so called, of a similar kind, was found among the Americans.

The uses of this are so numerous, especially among a people who make but little use of cloaths, that it is probable that it was suggested by nature, or, what is nearly the same, by necessity. As they chiefly used oils, or viscous gums, for this purpose, and often mixed them with earthy substances, these form a strong and almost impenetrable covering for the skin, which serves to close the pores in such a manner as to restrain the profuse perspiration to which they are liable in hot countries, to exclude the moisture, and to moderate the heat as well as the cold. The same contrivance protects them against the numerous insects, that at

‡ Robertson's America, vol. i. p. 395.

|| Melpomene.

* Cæsar. Comm. lib. v. cap. 14.

† Lib. xxxi. cap. 2.

certain times of the year infest both hot and cold countries, whose persecution would be unsufferable, if the skin had no protection, either by cloaths, or some other covering. The above method of defence serves also to distinguish the various ranks and orders of people, in the same manner as difference of dress and insignia of office do amongst us. Ammianus Marcellinus tells us, that it was applied to that use ‡ among some of the Sarmatian tribes; and at present, in North America, the warriors are easily distinguished by the || marks impressed on the skin of their arms and body.

S E C T. V. *Of the influence of a savage state upon the form of government.*

It is doubtful if people in this state can properly be said to have any form of government at all: if any, it is little more than a political one, and such as only regards their intercourse with other nations. In a civil light, they have a high degree of what is usually called freedom or liberty, but which is in reality an exemption from all legal restraint upon their actions. This state, however, differs very much from one of freedom, and is, indeed, little else than the government of the strongest or most powerful; whilst the weaker have no protection from the laws, or social compact, every person being unconnected with the other, and under no obligation from society to assist or defend him. A state, indeed, quite so savage, is seldom seen. It however exists in its full extent among the American Indians. This has, as I take it, produced some effects upon the disposition of the people; it has encouraged private friendship, not merely from attachment,

‡ Humiles quidem minutis et raris; nobiles vero latis, fucatis, et densioribus notis.—Lib. xxxi. cap. 2.

|| Carver's Travels, p. 337.

but also from necessity, and from a view of obtaining a * mutual defence and support, which the society at large was unable to afford. It has likewise, in some degree, given occasion to that vindictive, and at the same time dissimulating turn, which they discover. This, although odious in its immediate consequences, has some good effects in society. It establishes a degree of balance between the weak and the strong, and intimidates the latter from making use of that superiority which he at present enjoys, from an apprehension of an advantage being again taken of him when destitute of defence. This state, however, subsists not, except in the lowest condition of society. A small degree of civilization produces great changes, which will be spoken of in the succeeding chapter.

The reason why people in this state should enjoy a great degree of liberty is very natural. As they do not cultivate the earth, and are not fixed to a spot, but † wanderers and vagabonds, if a chief should attempt to deprive them of their liberty, they would immediately depart, and seek it under another; or retire into the woods, and there live with their families; there being no local attachment, and no inducement to prefer one situation to another. The liberty of the man is here so great, that it necessarily includes that of the citizen.

S E C T VI. *Effects of a savage life upon religion.*

The objects of religion, among a people of this stamp, are various. The most general, and therefore probably the most na-

* Bonds of mutual defence and support were not uncommon, at the first emergence of the people of Europe from that barbarism which the irruption of the northern nations had introduced.—See Hickesii Diss. Epist. p. 21.

† Sp. of Laws, book xviii. ch. 14.

tural, appears to me to be a Divinity of the warlike kind. Thus Mars, or a deity with similar qualifications, was the favourite divinity of the ancient * Scythians, and of their successors the Alans. The same was also the case in † Spain; and a like deity was held in great esteem in ‡ Gaul and || Germany.

This is, however, a dubious point; and possibly may depend upon accidental circumstances: since Mercury, or the inventor of arts and commerce, was the principal god in § Gaul and †† Germany; and the same respect for the inventors of useful arts was

* Ab origine rerum pro diis immortalibus veteres hastas coluere. — Justin. l. xliii. § 3.

————— verum superavit honores
Omnes hasta meos; cui me libare Lyæi
Quod cernis latices. Sili Italici, lib. vi. l. 137, 138, 139.

The Scythians worshipped a sword, as the image of Mars, who was the only deity to whom they offered sacrifices.—Herodoti Melpomene.

Addebat ei tamen confidentiam gladius Martis inventus, facer apud Scytharum reges semper habitus, quem Priscus Historicus tali refert occasione detectum.—Jordanes de rebus Geticis.

Gladius barbarico ritu humi figitur nudus, eumque ut Martem regionum quas circumcitant præfulem verecundius colunt.—Amm. Marcellin. lib. xxxi. cap. 2. De Moribus Alanorum.

Mars omnium Deus est, & pro simulacris enses & tentoria dedicant.—Pomp. Mela, lib. ii. cap. 1. Descriptio Scythiæ.

Populis istis Deus Mars est; pro simulacris enses colunt.—Solini, cap. 20. Descript. Scytharum.

† Livii, lib. xxviii. cap. 21.

‡ Cæsar, Comm. l. vi. cap. 17.

|| Taciti German. cap. ix.

§ Cæsar, Comm. lib. vi. cap. 17.

†† Deorum maxime Mercurium colunt.—Taciti Germania, cap. ix.

It appears probable, however, that the object of devotion among barbarous nations is subject to be affected by the climate. (See book i. of this work.) See also Dr. Robertson's account of the religion of the Americans. But I am dubious if the circumstances he mentions are not imputable to other causes besides their savage state.

shewn in the eastern countries, and even in Greece, at the earliest periods.

The principles of religion, in a savage state, are generally very imperfect, and often founded upon false ideas. Instead of thinking that the obligations of religion consist in a performance of moral duties, they do not ascribe any connection to them with religion; but think that the latter consists in some obscure ceremonies, and in deprecating the * anger of deities: which is supposed to be excited on the most frivolous occasions.

Sacrifices to the gods appear to have been almost universal among savage as well as civilised nations. Those, however, of the former, were usually, though not always, more cruel and bloody than those of the latter. † Herodotus tells us, that the ancient Scythians used human sacrifices; and the like were customary among the ‡ Cimbri, the || Gauls, the § Britons, and even the ** Germans; a people in other respects humane and generous.

Modern accounts are similar to the ancient. Many savage nations, at present, use human sacrifices; which were very much practised even in the more civilised parts of America, among the Mexicans †† particularly, the genius of whose religion was extremely cruel and unfeeling. Another circumstance expressive of the re-

* Carver's Travels.

† Herodoti Melpomene.

Scythæ qui omnem humani generis sanguinem diis suis propinare devoverat.—Paul. Diacon. lib. xiii.

‡ Strabon. lib. vii.

|| Cæsar, lib. vi. cap. 9.—Pomp. Mel. Descr. Galliæ comatæ.—Diod. Sicul. lib. v.—Strabon. lib. iv.

§ Cruore captivo adolere aras & hominum fibris consulere.—Taciti Annal. l. xiv. cap. 30.

** Taciti Germania, cap. ix.

†† Of all offerings, human sacrifices were deemed the most acceptable to the Gods.—Robertson's America, vol. ii. p. 303.

ligion of a savage people, is their great fondness for divination, or knowledge of future events. This is mentioned, in the sacred writings, to have been very common in the early ages of the world. Herodotus also tells us, that the * Scythians were much addicted thereto, who transmitted it to their descendants the † Alans. The Germans too were of a similar disposition; and, what is remarkable, performed their ceremonies of divination exactly ‡ in the same manner with the former nations. The same disposition is observable at present among the ruder part of the inhabitants of Europe; and, what is very extraordinary, it is not any very remote period since the belief of these fooleries was even countenanced by || law in our own country. A turn of mind exactly similar is found among the savage Americans; the cause of which, and its connection with their condition of life, is well explained by the celebrated § historian, who has written the account of that country. Another circumstance peculiar, as I believe, to the religion of mankind in this state, is, to have no temples or habitations for their deities. Thus the ancient †† Scythians had no temples—and the same was a religious maxim among the ||| Alans.

The ancient Germans, also, thought it beneath the dignity of their deities to be confined within †† walls; for which reason their places of worship were in the open air, especially in

* Herodoti Melpomene.

† Amm. Marcell. lib. xxxi. cap. 2.

‡ Taciti Germania, cap. x.

|| By the act for burning witches, forcerers, &c. &c.

§ Robertson's America, vol. i. p. 389.

†† Herodoti Melpomene.

||| Nec templum apud eos visitur aut delubrum; ne tugurium quidem culmo tectum cerni unquam potest.—Amm. Marcellin. l. xxxi. cap. 2.

†† Cæterum neque cohibere parietibus Deos, neque in ullam humani oris speciem assimilare, ex magnitudine cælestium arbitrantur: lucos & nemora consecrant.—Taciti Germania, cap. ix.

woods;

woods; and the same customs seem to have prevailed in Gaul and || in Britain.

The Tartars have also adopted notions of a like kind. Jenghiz-Khan approved of every part of the Mahomedan religion, except the building mosques, and the pilgrimage to Mecca *. — He could not comprehend why God might not be every where adored.

The reason of this is well explained by Mr. Montesquieu †. Almost all civilised nations dwell in houses; and hence naturally arose the idea of building a house for the Deity, in which they might adore and seek him, amidst all their hopes and fears. But this natural idea never occurred to any but those who cultivated the land, and were possessed of fixed habitations. Those who have no houses for themselves, never thought of building any for the Deity. As the Tartars then did not inhabit houses, they could have no idea of temples. A high degree of veneration for the priests or ministers of religion, is also, I believe, natural to savage or barbarous nations; though this varies in different countries. Thus Cæsar informs us, that the Druids, in Gaul, had the care of all divine things, of private and public sacrifices, and the interpretation of religion. They were exempted from military service, from taxes, and other impositions. They had the education of youth, a circumstance that gave them great weight in the state; and were supreme judges in all controversies, civil and criminal. And lastly, to enforce their decrees, they had in their hands the power of excommunication, or of outlawry, which was

|| *Excelsique luci sævis superstitionibus sacri.*—Taciti Annal. lib. xiv. cap. 30.

Woods and groves were among the most ancient places of worship, as we may gather from several passages in the sacred writings.—See also Strabo, book v. on the sacred Grove of Feronia.—Ibidem, on that of Minturnæ.—B. viii. on the Groves of Diana and Eurydice.

* Hist. of the Tartars, p. 273, 342.

† Sp. of Laws, book xxv. ch. 3.

esteemed the greatest * penalty that could be inflicted. A similar discipline prevailed in Britain.

Though there were no Druids in Germany, yet the priests there had considerable influence. They † presided in the public assemblies, and had the power of regulating or of preserving order amongst them. They had, also, authority to censure, to ‡ confine, and to inflict corporal punishment; a permission denied to the kings and generals. The Getæ || had also the highest veneration for priests, the high-priest among them being esteemed a divinity.

The veneration, likewise, for priests, is very high among the § American Indians; who have maintained their influence in much the same manner that has been done in more civilised countries, and chiefly from the opinion that the people have of their being able to foretel future events.

The belief of a ‡‡ future state, as well as of the being of a God, is, I believe, natural to mankind; and every where prevalent, unless where it has been obstructed—though, I believe, never thoroughly extinguished—by the folly and profligacy of metaphysics. This general idea is found among savages, as well as among civilised nations. But the notions of the former, on this head, have some distinguishing characters, as I think, which deserve to be considered.

* Cæf. bell. Gallic. lib. vi. cap. 8. §. 13, 14.

† Silentium per sacerdotes, quibus tum & coercendi jus est, imperatur.—Taciti Germaniæ, cap. xi.

‡ Cæterum neque animadvertere, neque vincere, neque verberare quidem, nisi sacerdotibus permissum.—Ibidem, cap. vii.

|| Strabon. lib. vii.

§ Carver's Travels, p. 382.

‡‡ We can trace, says Dr. Robertson, this opinion from one extremity of America to the other. In some regions more faint and obscure, in others more perfectly developed, but no where unknown.—History of America, vol. i. p. 387.

Savage nations, I believe, never place their future felicity in * intellectual happiness of any kind. All their gratifications are corporeal, and, in general, such as have constituted their ideas of happiness here upon earth. Even indolence is not forgotten, as they fancy that all their employments, in another life, will be similar to those in which they are engaged here, but without the labour † and toil annexed to them in their present state of existence. Thus the American Indians expect to be translated to a delightful country, where they shall always have a clear unclouded ‡ sky, and enjoy a perpetual spring; where the forests will abound with game, and the lakes with fish, which may be taken without requiring a painful exertion of skill or a laborious pursuit: in short, that they shall live for ever in those regions of happiness, and enjoy every gratification which delights them here, but to a greater degree.

The northern nations, who invaded the Roman empire, carried their ideas of martial achievements into the other || world with them. These, however, like the exercise of the Indians, before described, were to be without the pain, danger, and trouble, of such exertions here. Herodotus gives nearly the same account of the Scythians, and their founder Zamolxis.

* Intellectual pleasure, Mr. Carver says, is not included in the American scheme of future happiness.—Carver's Travels, p. 384.

† Carver's Travels, p. 383, 384.

‡ Some of these ideas do not differ much from Virgil's description of the Elysian Fields.

Devenere locos lætos, & amœna vireta
Fortunatorum nemorum, sedesque beatas:
Largior hic campos æther & lumine vestit
Purpureo; solemque suum sua sidera norunt.

Æneid. lib. vi. l. 638.

|| See book i. ch. 22. § 5. of this work.

With

With respect to the propagation of religion, savage nations appear to have but little zeal that way. In general, they readily change their own religion—to which they seldom have any great attachment.

The same causes which prevented their having much local regard to place or country, have had a similar effect with regard to religion. People who have no temples, no rites, no ceremonies, have but little to engage them, or to awaken their passions. Religion, as well as other ideas, requires somewhat to interest us in its favour, and to remind us daily of the duties we owe to it. But where there are no local places of worship or regard, no permanent institutions to keep up our attention, our attachment to matters of opinion is apt to languish, and to degenerate into indifference. Hence the little regard shewn by savages to religion, and the ease wherewith Christianity has been propagated amongst them.

Hence, too, proceeds the cause why, since the Popish missionaries have built churches in South America, the native Indians, who before were so indifferent, are now so zealous for religion.

CHAP. II.

INFLUENCE OF A BARBAROUS STATE UPON MANKIND.

I NOW come to the second stage of civilisation, under which I propose to consider mankind.

This may be supposed to comprehend the period from the invention of property and money, to the general use of agriculture and cultivation of lands. This division, as well as the former, admits of several intermediate stages or degrees.

T t

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The first advance from a savage state towards civilisation, is when people leave off their mode of gaining subsistence by hunting or by fishing, and betake themselves to pasturage and feeding cattle. This state of life I have been obliged to comprehend, in some measure, in the foregoing division, as the two conditions are not distinctly separated, but many nations partake of both at the same time. At present, however, I mean to express a state wherein the feeding of cattle is the means of subsistence; and hunting or fishing are not practised with that intention, in a national view at least. It is necessary to remark, that the style of this mode of living, if I may use such an expression, varies extremely, according to the climate, nature of the country, &c. Thus the Egyptians, at a certain period, followed this course of life, as did also the people of Sicily. But these differed extremely from the Arabs and the Tartars, both of whom pursue this course of life, and who likewise differ greatly from one another. As the causes which I have before mentioned, as operating upon the minds and actions of men, modify and temper each other; so, in the present instance, we must consider the effects of the way of life, as subject to be directed and altered in a great measure by similar circumstances.

Some things, however, to which it seems particularly to lead, I will endeavour to point out.

S E C T. I. *Effects of the barbarous or pastoral state of mankind on the temper and disposition.*

The apathy or insensibility so remarkable in a savage state, is greatly diminished by this advance towards civilisation. The introduction of property, and of the attentions consequent upon it, and the assuming a more regular and uniform course of life, excite the powers of the mind, give it new motives and springs of action, methodise the ideas, and keep up a constant and steady at-
tention;

tention; circumstances all favourable to the preserving the force and power of the sensible faculties.

An indifference for the fair sex was before mentioned as a part of the character of savage nations. This, however, is greatly changed in the course of life now under consideration. The ancient descriptions of pastoral life are full of amorous events: and the Tartars and Arabs, at present, are much addicted to this passion; which intimates, that the disposition of mind natural to that state had a turn this way.

Hippocrates *, it must be owned, gives a different, and, indeed, an opposite account of the Scythians; but this he ascribes, and with great probability, to their spending their time so much on horseback. Indeed, no way of life could differ more from another, than do the several modes that come under this general description; and therefore it is not extraordinary that different or contrary effects should be ascribed to it.

Pride and haughtiness are possessed in a high degree by people in this state of life, as well as the former.

Theodosius †, says Attila the Hunn, with an insolent air, is descended from a father as noble as mine; but when I compelled him to pay tribute to me, he fell from the grandeur of his extraction, and became my vassal; and therefore it is unjust in him to act as a base man, and to prejudice his master by his treachery. An emperor, said he, on another occasion, ought not to be a liar; he promised one of my subjects to give him the daughter of Saturninus in marriage, and I will immediately declare war against him if he presumes to depart from his word; but if the disobedience of those about him puts it out of his power to be punctual, I will march to his assistance. That haughty barbarian had, or affected to have, no rule of distinction or precedence but what was derived from military superiority.

* De Aeribus, Aquis, et Locis.

† Grandeur and Decline of the Roman Empire, by Mr. Montesquieu, ch. xix.

Idleness † prevails in this state of mankind, as well as in that before described; but it seems here to be more an indolent course of employment than the torpid insensibility of the savage.

The pastoral life requires a constant, though not a very active, attention; sufficient, however, to engage the mind, and prevent that vacuity of ideas which so frequently occurs to the savage, and so naturally produces a stupid insensibility. Diodorus Siculus speaks even of the industry and attention of the Egyptians, when in this state; which indicates, at least, that their life was not spent without some exertion of the faculties, both of mind and body.

In general, however, it must be admitted, that several nations in this state are extremely indolent.

The Arabs, both || ancient and * modern, appear to have been a very idle set of people, though not quite so inactive as savages. In the latter, the time is divided between the most violent exertion and the most supine sloth. In the former, the exertions are not so violent, nor are the intervals of labour and fatigue consumed in such abject idleness. A people in this state, as well as the foregoing, are, I imagine, disposed to war and † warlike achievements. Thus we find, in the early ages of mankind, and when this way of life was principally followed, that wars were very frequent, and begun on ‡ flight occasions. The northern ||| na-

† Aristotle represents this way of life as being extremely idle.—*De Republicâ*, lib. i. cap. 8.

|| Strabon. lib. xvi.

* The Arab follows no regular trade or employment. His life is a continued round of idleness or of diversion. When no pastime nor hunting-match calls him abroad, he does nothing all the day long, but loiter at home, smoke his pipe, and repose himself under some neighbouring shade. He has no relish at all for domestic amusements, and is rarely known to converse with his wife, or play with his children.—*Shaw's Travels*, chap. iii. sect. 9.

† Strabo observes, that the Albani, by following this course of life, became a warlike people, book ii.—See also his account of the Massagetæ, l. xi.

‡ See the book of Genesis.

|| Et sequer duros æterni martis Alanos.—*Lucan*, lib. viii. lin. 223.

tions, who subverted the Roman empire, discovered a disposition exactly of this kind. As repose and quiet, says Ammianus Marcellinus *, is grateful to persons of a peaceable disposition, so are dangers and wars agreeable to the Hunns. That man is deemed particularly fortunate, who loses his life in battle; which is esteemed the only honourable means of the termination of human existence. The Arabs have been of a military turn from the earliest accounts, and are so at present; and the Tartars have followed a course nearly similar. Both these nations have been, in their turns, the conquerors of a great part of the world.

The wars carried on by these people are, like those in the former state, conducted apparently with a great degree of cruelty. Thus it appears from Herodotus † that the ancient Scythians took but few prisoners, but destroyed the nations they had conquered. Diodorus ‡ also tells us, that the Sauromatæ, when they invaded Scythia, laid waste the whole country, and put to death all the people whom they subdued. The Getæ || were equally cruel, particularly

* *Utque hominibus quietis et placidis otium est voluptabile, ita illos pericula juvant et bella. Indicatur ibi beatus qui in prælio profuderit animam.*—Ammian. Marcell. l. xxxi. c. 2.—See also note iii. to Robertson's History, ch. 5. vol. i.

† Herodot. Melpomene.

‡ Diodor. lib. ii.

|| Protinus, æquato ficcis aquilonibus Istro,
Invehitur celeri barbarus hostis equo:
Hostis equo pollens, longeque volante sagitta,
Vicinam late depopulatur humum.
Diffugiunt alii; longeque tuentibus agros
Incustoditæ diripiuntur opes.
Ruris opes parvæ pecus et stridentia plaustra,
Et quas divitias incola pauper habet.
Pars agitur vinctis post tergum capta lacertis,
Respiens frustra rura laremque suum.
Pars cadit hamatis miserè confixa sagittis:
Nam volucris ferro tinctile virus inest.

particularly in their usage of prisoners. The Goths, when they invaded Thrace, cut off the hands of all whom they found in arms against them, and destroyed all the husbandmen. The Vandals, when they invaded Africa, were, if possible, still more * extravagant in their cruelties and devastations, and similar instances of a destructive disposition were shewn by the † Hunns and ‡ Saracens. The Tartars have followed similar maxims. When they take cities, they put the inhabitants to the sword, and imagine they act humanely, when they only sell the people, or distribute them among their soldiers. They have destroyed Asia, from India even to the Mediterranean; and all the country that lies to the East of Persia they have rendered a desert. This conduct is, indeed, in some measure owing to their law of nations: of which I shall speak hereafter.

A people in this state, although attached to their country as a body of men, have little more local attachment than in the condition first spoken of. Something of this roving disposition appears in the first ages of mankind. In the division of the land between Lot || and Abraham, the choice seems to have been made without

Quæ nequeunt secum ferre aut abducere, perdunt:

Et cremat infantes hostica flamma casas.

Ovid. Tristium, lib. iii. eleg. 10.

The Cimbri destroyed their prisoners.—Strabo.

* See note V to Robertson's History of Charles the Vth.

† Ammian Marcell. lib. xxxi. cap. 2.

‡ Ibidem, lib. xiv. cap. 2.

|| And Abraham said unto Lot, Let there be no strife, I pray thee, between me and thee, and between my herdmen and thy herdmen; for we be brethren. Is not the whole land before thee? Separate thyself, I pray thee, from me: if thou wilt take the left hand, then I will go to the right; or if thou depart to the right hand, then I will go to the left. And Lot lifted up his eyes, and beheld all the plain of Jordan, that it was well watered every where, before the Lord destroyed Sodom and Gomorrah, even as the garden of the Lord, like the land of Egypt, as thou comest unto Zoar. And Lot chose him all the plain of Jordan: and Lot journeyed east: and they separated themselves the one from the other.—Genesis, xiii. 8, 9, 10, 11.

regard

regard to any other circumstance than the fertility of the soil, without any consideration of the place formerly inhabited by their ancestors. This was somewhat extraordinary of the Jews, whose local attachment afterwards became so remarkable.

The Arabs * seem to have had no regard, originally, to any place or situation; and the same was the case with the † Saracens and ‡ Alans. It was, and is I believe at present, a religious maxim among the || Tartars, never to reside long in any one place; in consequence of which they have a proverbial imprecation, that their enemies should be confined, like Christians, to one spot, and breathe the effluvia of their own bodies.

SECT. II. *Influence of the pastoral state upon the manners.*

The manners of nations in this state are the next subject of enquiry.

The introduction and knowledge of property, whilst it assists civilisation, and in several respects improves society, has also a considerable effect in corrupting the moral character. The idea of property affords new and particular motives of action, dependent

* Diodor. Sicul. lib. ii. p. 95, 96.

† Sine lare, sine sedibus fixis, aut legibus, nec idem perferunt diutius cœlum, aut tractus unius soli illis unquam placet. Vita illis semper in fugâ est.—Amm. Marcellin. lib. xiv. cap. 5. Descript. Saracenorum.

‡ Cumque ad graminea venerint in orbiculatam figuram locatis Sarracis ferinoritu vescuntur, absumptisque pabulis velut carpentis civitates compositas vehunt, marisque supra cum sceminis coeunt, et nascuntur in his et educantur infantes, et habitacula sunt hæc illis perpetua, et quocunque ierint illic genuinum existimant larem.—Ammian. Marcell. l. xxxi. c. 2. Descript. Alanorum.

Sallust and Lucan give similar accounts of the Numidians.

—“Vagi, palantes, quas nox coegerat sedes habebant.”—Sallust. Bell. Jugurth.

Et solitus vacuis errare massalibus Afer.—Lucan. lib. iv. l. 604.

|| Cluverii Geograph. lib. iv. cap. 20.

upon it, and entirely unconnected with those qualities upon which men have most reason to value themselves. It gives different causes of attachment among mankind, and establishes an influence independent of the personal character, and thus produces an inequality of rank and eminence unconnected with merit, which lays the first foundation of subordination. Consequently it inspires people with an unbounded passion for the acquisition of it, and prompts them to the neglect and disregard of every thing unconnected with it. Hence the sense of justice, so natural to the human mind and understanding, soon becomes perverted by the desire of gain; and covetousness, with all its train of attendant vices, is introduced. Several of these effects are often produced among a people, whose knowledge of property is very imperfect. Thus the coasts of the Ægean sea, in the time of * Homer, were pillaged for no other reason but that the plunderers chose to possess themselves of the brass, iron, cattle, slaves, and women, which were found among the adjacent nations. Piracy and robbery, says Thucydides †, were by no means employments of reproach, but of honour; and several of the Greek nations, even in his time, followed this practice as a means of subsistence. The Sicilian shepherds were, according to Strabo ‡, originally a band of robbers. The Arabs, from the earliest accounts, have been always esteemed a nation of || thieves; and the same is the case both with them and the Tartars at present. The ancient Scythians ** were of a fimi-

* See Nestor's speech to Telemachus, in Homer's *Odyssey*.

† Lib. i.

‡ Lib. vi.

|| This is supposed to be implied in the prophecy concerning Ishmael, who, it is imagined, peopled Arabia. "And he will be a wild man; his hand will be against every man, and every man's hand against him."—*Genesis*, chap. xvi.

The life of the Arabs, says Diodorus Siculus, is a course of plunder; they make incursions far and wide, and harass the adjacent nations with their robberies, lib. ii.

** Herodoti Melpomene.—Luciani Anacharsis.

lar disposition, as were their successors, the † Saracens and the ‡ Alans.

Most of the northern nations were of a like character.

But although people in this state are much corrupted in their political capacity—I mean with regard to political justice—and are subject to external rapine, violence, &c. the mere knowledge of property seldom produces much internal corruption among the members of the state itself. For this they must advance one step farther, and not only be acquainted with the nature and use of property in general, but also with the sign of it, *money*. What is gained by hunting, fishing, or keeping herds of cattle, cannot be collected in quantity sufficient, nor be sufficiently preserved, for one man to be in a condition to corrupt many others; but when, instead of this, a man has a sign of riches, he may obtain a large quantity of these signs, and distribute them as he pleases. To the above remarks may be added, that money is better adapted to every person's wants than any specific property can be, and therefore likely to be more universally acceptable, as there are scarce any which it will not supply. But, perhaps, the greatest influence it possesses is from its being capable of being privately introduced. All corruption, at first at least, is productive of shame, and fear of discovery; which is not the least guard against its being practised: but when a method is offered of enjoying the fruits of villainy, and at the same time of concealing the shame of it, much of the security and defence of morality is removed. Were a man to be bribed with a herd of oxen, a flock of sheep, a quantity of corn, provisions, or such like, a discovery would be unavoidable, not only from the bulk, and impracticability of concealment, but also from

† Quicquid inveniri poterat momento temporis parvi vastabant milvorum rapacium similes.—Amm. Marcell. lib. xiv. c. 4.

‡ Externâ aviditate prædandi flagrans immani.—Amm. Marcell. lib. xxxi. c. 2.

—See the quotation from Ovid in the foregoing section, concerning the Getæ.

the specific knowledge of the articles employed, which must be known to many: but money carries no specific marks along with it, is easily conveyed, and easily concealed, and therefore the most convenient for that purpose.

Indeed, I am persuaded that corruption has been greatly promoted, as well as expedited, by carrying matters a step farther, viz. by means of *paper credit*; which has not only rendered a discovery more difficult, but also has caused such an easy conveyance of the wages of corruption to distant places, as must have greatly increased its influence. Mr. *Pope's representation of its effects in this way, though ludicrously described, is nevertheless founded in truth. The properties of money, above described, cause it to be an additional temptation to the robber, from the security it affords. In countries where there is no specie, the robber takes only bare moveables, which have no mutual resemblance: but where they

- * Blest paper credit! last and best supply,
That lends corruption lighter wings to fly.
Gold, imp'd by thee, can compass hardest things,
Can pocket states, or fetch and carry kings;
A single leaf shall waft an army o'er,
Or ship off senates to some distant shore;
A leaf, like Sybils', scatter to and fro
Our fates and fortunes, as the winds shall blow.
Pregnant with thousands flits the scrap unseen,
And silent, sells a king, or buys a queen.
Oh! that such bulky bribes as all might see,
Still, as of old, encumber'd villainy:
Could France or Rome divert our brave designs
With all their brandies, or with all their wines?
What could they more than knights or squires confound,
Or water all the quorum ten miles round?
A statesman's slumbers how this speech would spoil;
"Sir, Spain has sent a thousand jars of oil;
"Huge bales of British cloth blockade the door;
"An hundred oxen at your levee roar."

Moral Essays, Epist. iii.

make

make use of money, the robber takes the signs, and these always resemble one another. In the former case, nothing can be concealed, because the robber carries with him the proofs of his conviction; but in the latter it is quite the contrary.

Avarice, likewise, is much encouraged by the invention of specie. A man would find it difficult to accumulate moveable property to any great amount, as it is so bulky in general, and likewise in some measure perishable. But money is liable to neither of these objections, and on that account very convenient for accumulation.

The same properties that render money convenient for the purposes of avarice, cause it to be equally so for those of profusion, as Mr. Pope * has, with great judgment and knowledge of human nature, as well as elegance, expressed. Such, among many others, are the corruptions introduced by money; and these sometimes operate so powerfully in this state of mankind, as to render it, perhaps, the most dreadful and melancholy condition that can be imagined. Human nature is in its most deplorable and calamitous

- Poor Avarice one torment more would find,
Nor could Profusion squander all in kind.
Astride his cheese Sir Morgan we might meet,
And Worldly crying coals from street to street;
Whom, with a wig so wild, and mien so maz'd,
Pity mistakes for some poor tradesman craz'd.
Had Colepepper's whole wealth been hops and hogs,
Could he himself have sent it to the dogs?
His Grace will game, to White's a bull be led,
With spurning heels, and with a butting head:
To White's be carried, as to ancient games,
Fair courfers, vases, and alluring dames.
Shall then Uxorio, if the stakes he sweep,
Bear home six whores, and make his lady weep?
Or soft Adonis, so perfum'd and fine,
Drive to St. James's a whole herd of swine?

Pope's Moral Essays, Epist. iii.

U u 2

situation,

situation, when men have acquired the knowledge of property and money, and thereby gained all the vices attendant thereon, without acquiring such a degree of civilisation as serves to temper and restrain their inordinate desires, by a sense of decorum, and conviction of the utility of justice, order, and regularity to society in general. In this state, people have all the ferocity, without the simplicity, of the savage; all his passions, without his restraints; and moreover an infinite number of artificial wants, which property and money so naturally create, joined with a habit of the most extensive indulgence of * all their desires, at all events.

Such was the character of the barbarous nations that subverted the Roman empire, and on that account, this † period of their gaining the ascendancy is represented, with great justice, as that wherein the human race was in a situation the most calamitous and afflicted of any, of which we have an instance in the history of mankind.

It must, however, be acknowledged, that some circumstances, that concurred about that time, tended to set the conduct of these people in a more unfavourable light than perhaps it might deserve. The northern nations, coming from a cold climate, carried their original diet and way of life along with them, which, consisting principally of animal food, and this uniting with the sensibility inspired by the hot climate, into which they penetrated, produced a degree of ferocity and cruelty, greater, probably, than what was natural to them. The vast treasures, also, which they found, tended greatly to corrupt their manners, and to render them cruel and avaricious. The Roman wealth, collected from the spoils of the whole earth, during the course of many ages, fell at once into

* *Externa prædandi aviditate flagrans immani.*—Amm. Marc. Descr. Hunnorum.—*Auri cupiditate immensa flagrantes.*—Ibidem.—Plutarch speaks of the Gauls as the most covetous and insatiable of men.—Life of Pyrrhus.

† From the death of Theodosius the Great, to the establishment of the Lombards in Italy, which contained the period from ann. dom. 395 to 571, or 176 years.

the possession of a number of rude barbarians. So sudden and so vast an acquisition, instead of satisfying, did but stimulate their appetites, and induced them to be guilty of the most horrid cruelties, in order to force those whom they had conquered to farther discoveries.

Indeed, a people in a much higher degree of civilisation were equally liable to have their manners corrupted by the sudden * acquisition of enormous wealth. The Spaniards, who invaded America, practised cruelties and breaches of morality, at least equally atrocious with any laid to the charge of these people.

Another cause of the ill treatment which the Romans received from their conquerors, arose from the mean opinion conceived by the latter of the degenerate character of the Romans. They found all the inhabitants of that empire sunk in effeminacy and sloth, and averse to war. Such a character was an object of scorn † to a high-spirited and gallant race of men, and produced naturally an opinion, that no usage could be too bad for those who by their own base conduct had reduced themselves into so contemptible a state.

* This formerly had the same effect upon the Romans, as is beautifully expressed by Ovid.

At postquam fortuna loci caput extulit hujus
Et tetigit summos vertice Roma Deos.

Creverunt & opes, & opum furiosa cupido,
Et cum possideant plurima, plura volunt.

Quærere ut absument, absumpta requirere certant,

Atque ipsæ vitiis sunt alimenta vices :

Sic quibus intumuit suffusa venter ab unda,

Quo plus sunt potæ, plus sitiuntur aquæ.

Oratio Jani in libro primo Fastor. Ovidii.

† — hoc solo, id est Romani nomine, quicquid ignobilitatis, quicquid timiditatis, quicquid avaritiæ, quicquid luxuriæ, quicquid mendacii, immo, quicquid vitiorum est comprehendentes. — Luitprand Legat. apud Murator. Scriptor. Italic. vol. ii. p. 1, p. 481.

Such

Such a picture of this condition of life may seem extraordinary, to those who have been accustomed to consider the pastoral character as a model of virtue and simplicity. It is, indeed, so represented in the writings of poets, and probably in a good measure with truth. But I apprehend, that those who framed these descriptions, did not intend them of the pastoral state of mankind in general, but only of a particular rank of men in a civilised country. Theocritus and Virgil do not describe a nation of shepherds, but a distinct order of people in society, who, in most respects, were totally different. Their shepherds were a peaceable, learned set of men, humble in their desires, virtuous in their manners, and polite in their behaviour. They were also mostly confined to one spot, and had a great degree of local attachment*; all which were totally different from nations of the former description.

It is difficult to say what manners or behaviour are peculiar to this state of mankind. It is, however, remarkable of some of them, that although addicted to pillage strangers, they practise hospitality to a great degree. This is the account given by Diodorus of the † Celtiberi, and is also true of the modern Arabs, among whom hospitality is not only a moral ‡ but a religious duty. This is, indeed, no more than what was practised in a savage state; in both, the people are addicted to robbery, and plunder of foreigners, or of people beyond the limits of their own state. But the solitary stranger, from whom they had nothing to fear, and whose conquest would yield neither glory nor profit, is

* *Nos patriæ fines & dulcia linquimus arva*
Nos patriam fugimus. Virgil. *Eclog. i.*

† Diodorus says of the Celtiberians, who appear to have been nearly in this state, that they were mild and humane to strangers, and that they readily offered protection to all foreigners, from whencesoever they came, and emulate one another in shewing them marks of kindness and hospitality.—*Lib. iv.*

‡ See Shaw's Travels—and Travels up the Red-sea, by Eyles Irwin, Esq.

treated by them, not only with humanity, but even with splendid civility.

The condition of women, in this state of society, appears to be very respectable. The Gothic || women had a seat in the national councils. The Queens, among the Franks and Anglo-Saxons, had an active share in the government. Women were esteemed, by Augustus Cæsar, the most secure * hostages that he could take from the Barbarians; and they were also accounted so among the ancient † Germans. The Sarmatians paid the highest ‡ respect and obedience to their wives; and the same is true of some half-civilised nations, at present, in the East Indies.

S E C T. III. *On the influence of a barbarous state upon the intellects.*

This state of life is little more favourable to improvement of the intellectual faculties than the former. Savages are only ignorant of letters, but Barbarians are not only so, but have also a settled aversion to them. The northern nations, who invaded Italy, destroyed all the monuments of literature they could meet with; a loss which their posterity now so much deplore: and the § Arabs

|| See Stuart's View of Society in Europe, p. 176, 177. & de incept.

* Noyum genus obsidum fæminas exigere tentaverit.—Sueton. l. ii.

† Adeo ut efficacius obligentur animi civitatum quibus inter obsides puellæ quoque nobiles imperantur.—Tacit. Germ. c. viii.

‡ Aristotle observes the great influence of women among a warlike people.—De Republica.

§ Strabo observes of the Arabs, in his time, that they made no improvements in the arts or sciences, but continued in the same track with their predecessors.—Strabo, book xvii.

An account exactly similar is given of them in Friend's History of Medicine.

The roving and unsettled life of the Arabs, as Dr. Shaw well observes, will not permit them to enjoy that liberty, quiet, and security, which have at all times given birth and encouragement to learning.—Shaw's Travels, ch. iii. § 3.

at one time exercised a similar devastation through the East. Those Barbarians were probably jealous of any superiority in those nations to which they had proved themselves superior in arms, and desirous to destroy every memorial of it. They were also of opinion, that literature and science tended to corrupt ‡, enervate, and depress the mind. Like the Spartans, they looked upon every pursuit with contempt, that was not connected with the virtues of fortitude and military prowess or skill.

The art of war was the only branch of knowledge generally cultivated among them; and in this, as their whole attention was directed to it, they had made some * advances; though their success appears to have been more owing to the weak, effeminate, and corrupt state of their opponents, than to their own military knowledge.

The mode of making war practised by people in this state, is generally, though not always, of the desultory kind; more resembling the attacks of robbers or † banditti, than of a regular army.

This

‡ Multum abesse a virtute literas, et senili institutione dejici plerumque, et ad metum incurvari indolem. Theudericum solitum dicere, fieri non posse, ut qui didicissent flagra extimescere, ad contemptum ensium hastarumque exsurgerent.—Procopii, Hist. Gothor. lib. i.

Marius, if the speech assigned to him by Sallust be genuine, as it is natural, seems to have had a similar opinion of learning with the Barbarians.

Neque literas Græcas didici: parum placebat eas discere, quippe quæ ad virtutem doctoribus nihil profuere. At illa multò optima reipublicæ doctus sum; hostes ferire, præfidia agitare, nihil metuere nisi turpem famam; hiemem & æstatem juxta pati; humi requiescere; eodem tempore inopiam atque laborem tolerare.—Sallust. Bell. Jugurth.

* Some of the arts which relate to war, and to military affairs, were brought to great perfection among some barbarous nations. Thus Pausanias tells us, that the Scythians and Sarmatians had made great improvements in the art of making warlike weapons, insomuch as to rival the Greeks; and Polybius gives a similar account of the Spaniards.

† Many of the nations that have continued through a series of generations in a barbarous state, have inhabited plain countries; and, on that account, placed their chief

This was the way of fighting practised by the ancient † Scythians and ‖ Parthians; and in later times by the § Alans, and at present by the Arabs and Tartars.

This mode of making war is best adapted to the prædatory disposition of that people. Moreover, as they have little regular discipline, large bodies would be useless and unmanageable; and if defeated, would endanger the whole nation. Besides, a country which is not cultivated, could not maintain a large body of people, if assembled for any length of time in one place. For these reasons, the barbarous people, when they made their incursions in order to plunder, as they did when they first invaded the Roman empire, marched in small parties or detachments; but when, after acquiring experience and discipline, they attempted conquests, and transferred the seat of war, for any length of time, into the enemy's country, they assembled in large bodies.

But although Barbarians are, in general, averse from science and literature, yet some branches of it have in some measure engaged their attention. People who spend most of their time in the open air, and who pass the nights in the care of their flocks and cattle, and who, in general, inhabit a plain country, which exhibits an extensive view of the heavens, and where the sky is mostly clear and serene, are naturally led to pay some attention to the * celestial bodies. For these reasons the Egyptians

chief dependance in war on cavalry; which might render this way of making war more likely to be chosen, as being in some measure natural.

† Herodoti Melpomene.—and Ovidii Trist. l. iii. ep. 10.

‖ Justin. lib. xli. cap. 2.—Plutarch. Vita Crass.—Dion. Cassii, lib. xl.

§ — Ita subito de industriâ dispersi vigescunt & incomposita acie cum cæde vasta discurrunt, nec invadentes vallum nec castra inimica pilantes præ nimia rapiditate cernuntur.—Amm. Marcell. l. xxxi. cap. 2.

Athenæus tells us, that a man presented Seuthes, the Thracian king, with a horse, which was, he said, equally suited to fly from, or to pursue an enemy.—Lib. iv.

* Varro observes, that several of the signs of the zodiac, and of the stars, were called after the objects that belong to or occur in a pastoral life.

tians † cultivated astronomy in the early ages; and afterwards the same was much in use among the Assyrians ‡, who applied it to the purposes of divination, or the foretelling of future events. The Arabs ||, however, made use of their knowledge to a better purpose, that of directing their course over the sandy deserts; which is also practised at present by that people, and by the § Tartars. It appears, however, that the knowledge they had acquired in this way was always, and still is, very confined.

Some barbarous nations, however, have not been altogether destitute of a taste even for some branches of elegant knowledge. The Germans had their poems, the Gauls the songs of their bards; which last, as has been before remarked, were adapted and set to musical accompaniments. Even * Attila the Hunn, as we are

Quod si apud antiquos non magnæ dignitatis pecus esset, in cælo describendo astrologi non appellassent eorum vocabulis signa, quæ non modo non dubitabant ponere, sed etiam ab his principibus duodecim signa multi numerant, ut ab Ariete & Tauro cum ea proponerent Apollini & Herculi, hi enim dii ea sequuntur & appellantur Gemini. Nec satis putarunt de duodecim signis sextam partem obtinere pecudum nomina, nisi adjecissent ut quartam tenerent Capricornum. Præterea a pecuariis addiderunt capram, hædos, canes.—Varro de re rustica.

† The Egyptians, says Diodorus Siculus, make the most accurate observations on the nature and motion of the heavenly bodies, and have preserved the descriptions of each of them for an incredible number of years back, as this study was in great vogue among them in the earliest ages.—Diod. Sicul. lib. i.

‡ Principio Assyrii, ut ab ultimis auctoritatem repetam, propter planitiem magnitudinemque regionum quas incolebant, quum cælum ex omni parte patens atque apertum intuerentur, trajectiones motusque stellarum observaverunt.—Cicero de Divinatione, lib. i.

|| Those parts of Arabia that lie towards the west, are a sandy plain, of an immense extent. For this reason, the Arabs, who are to travel across them, direct their course by observation of the Bear-star, in the same manner as is done at sea.—Diod. Sic. lib. ii.

§ Et quoniam Tartari incertis omnes fere vagantur sedibus, stellarum (imprimis vero poli Arctici quem ipsi sua lingua Selesnikoll, hoc est ferreum clavum, vocant) aspectu cursum suum dirigere solent.—Cluverii Geogr. lib. iv. cap. 20.

* Prisc. p. 67, 68.

told by Priscus, had constantly his poets in waiting; and their verses, in honour of his exploits, were part of the entertainment of his court.

S E C T. IV. *Effects of a barbarous or pastoral way of life upon the laws and customs of mankind.*

The law of nations, in this condition of mankind, is but little improved from the former state of it. The * ancient Greeks, according to the best accounts, were no other than a nation of robbers and pirates, who attacked and plundered, indiscriminately, all who fell in their way; and this conduct, so far from being thought censurable, was highly applauded.

The Illyrians † thought that plunder and robbery were no breaches of the laws of nations, unless publicly authorized by the state; and the like maxim was held formerly among the ‡ Arabs, and is also at present among them and the Tartars.

Another difference between the law of nations among Barbarians, and that among civilised people, consists in the different treatment they use to those whom they conquer. I have before spoken of the cruelty of savages, which in a great measure arises from political motives; but the cruelty of || Barbarians springs, in some measure, from a mistaken law of nations.

These people having no towns, all their wars are carried on with eagerness and impetuosity; they fight whenever they hope to con-

* Thucydides, lib. i.

† Teuta, queen of Illyricum, told the Roman ambassadors, that she would take care that no public injury should be offered to the Romans; but that it was not the custom of princes to hinder their subjects from making what private advantage they could by plunder. On the ambassadors representing the heinousness of such a proceeding, the queen took this freedom so ill, as to kill one of them, who had expressed himself with most warmth.—Polyb. book. ii. ch. i.

‡ Irwin's Voyage up the Red-sea, p. 301.

|| See note ||, p. 325, quoted from Ovid.

quer; and when they have lost hopes of that, they join the prevailing party. With such customs, it is contrary to their law of nations, that a city, incapable of repelling their attack, should stop their progress. They regard cities, not as associations of inhabitants, but as places made to bid defiance to their power. They besiege them without military skill, and expose themselves greatly in the attack; and therefore revenge themselves on all those who have spilt their * blood.

So much for the law of nations. Let us now examine the effects of this way of life upon the civil or municipal laws.

These, among Barbarians, as well as among savages, can be but † few in number, and are rather to be esteemed usages or practices, than what we strictly mean by ‡ laws.

It is doubtful if the laws or usages in this state of society have any general object or intention whatever, or whether they are not made rather to obviate particular inconveniences. Some of them, however, appear evidently to be derived from the situation and condition of people in this state of society.

Thus the course of inheritance by descent varies, in some of the people, who lead a pastoral life, from that in use among us, both with regard to personal and landed property; the lands here neither descending to the eldest son, as in the feudal system, nor being equally divided among the sons in general, as among the Greeks and Romans, but descending to the youngest son, to the

* Sp. of Laws, book xviii. ch. 20.

† There being scarcely any laws for the security either of the person or of the property of any one, is assigned, in Lucian's Dialogue between Solon and Anacharsis, as the reason why the Scythians went constantly armed. You live in fear of each other, says Solon to Anacharsis; every man acts as he pleases, and there are no laws to restrain you; the sword, therefore, must be always drawn, and ready to defend you against violence and rapine. — Lucian's Anacharsis, Franklin's Translation.

‡ “Sine sedibus fixis aut legibus.” — Amm. Marcell. Descr. Saracenorum.
Omnes sine sedibus fixis, absque lare vel lege. — Ibidem, Descr. Alanorum.

exclusion of all the other children. This usage prevailed in several * parts of Germany, and was by the Saxons introduced into our own country, in many parts of which it still subsists.

This custom is, by a learned † writer of our own country, derived from the practice of the Tartars; who, according to Du Halde, have adopted this mode of succession. That nation is composed entirely of shepherds and herdsmen; and the elder sons, as soon as they are capable of leading a pastoral life, migrate from the father with a certain proportion of cattle, and go to seek a new habitation. The youngest son, therefore, who continues with the father, is naturally the heir of the house, the rest being all provided for abroad. And thus we find, that among many other of the northern nations, it was the custom ‡ for all the sons but one to migrate from the father, which one became his heir.

I apprehend, however, that this inheritance of the youngest son originally took place only when the other sons had a provision elsewhere, or in some other manner, during the life of the father; or, as it was then called, || *forisfamiliated*.

Another

* It subsists still, as is said, in the dutchy of Rohan in Bretagne.

It subsisted even in families, as in that of Hocstrat, in Flanders. — Vide Du Cange, *Vox Burghensium*.

† Blackstone's Comm. book ii. ch. 6. — See too Sp. of Laws.

‡ Pater cunctos filios adultos a se pellebat præter unum quem hæredem sui juris relinquebat. — Walsingham, *Upodigm. Neust. c. i.*

|| Dicitur propriè filius forisfamiliari, cum partem hæreditatis a patre vivente accipit, eaque contentus est ita ut amplius petere non possit. — Regiam Majestatem, lib. ii. cap. 33. § 7, 8. — Potest siquidem filius in vita patris sui forisfamiliari; si pater quandam partem terræ suæ sibi assignet & fasnam faciat, inde sibi in vita sua ad petitionem & bonam voluptatem ipsius filii, ita quod de tanta parte terræ, sit ei satisfactum. Tunc non poterit hæres ipsius filii de corpore suo genitus aliquid amplius petere contra patruum suum de residua parte hæreditatis avi sui quam partem patris sui. — Vide Leges Burgor. Scoticor. c. cxxiv, cxxv. § 4. — Bracton. lib. i. cap. 10. § 1. & Skenæum de Verborum significatione. — Du Cange *Vox Forisfamiliare*.

William

Another law, which prevails in some countries in this state of society, and which is relative to succession, is the preference given to the brother, rather than to the children, of the last possessor. This regulation prevailed in several parts of * Africa, and appears to be at present in use among the † Arabs. The same rule of succession, with respect to the crown, took place among the Anglo ‡ Saxons; though, I believe, it was only allowed in this, and possibly in the other cases, when the son or heir was of too early an age to be trusted with the government. Probably for the same reason, viz. of non-age, it is said in the *Constitutum* || of Normandy, that many were of opinion that the younger son of the father ought to succeed, even in common inheritances, before the grandson by the eldest son, if the latter died during his father's life-time; and it was upon a claim of the former kind that Richard the Third laid some stress, when he claimed the crown in preference to his infant nephews, sons of Edward the Fourth, his elder brother.

The reasons of this are not inobvious. The possession of flocks and herds could not be of any use to children who were not in a capacity to attend to them, and were therefore more properly consigned to the elder branches of the family, who were in a condition to make a right use of them.

William Rufus alledged, that his brother Robert, by having the duchy of Normandy conferred upon him, was forisfamiliated, and disabled to claim any part of the remaining inheritance.

* *Militante Massinissa pro Carthagenensibus in Hispania, pater ejus moritur, Galæ nomen erat, regnum ad fratrem ejus Oesaliem pergrandem natu (mos ita apud Numidas est) pervenit.*—Livii, l. xxix. § 29.—Vide etiam, Strabon. xvii.

† Shaw's Travels, ch. iv. § 1.

‡ Hume's History of England, Appendix i.

|| In successione tantummodo patris ad filium afferentes quod profilius avo suo non debet succedere, licet primogeniti fuerit filius qui avi sui tempore jam deceffit. Sed ipsi avo debet succedere filius ejus; dum tamen aliquis filiorum superstiterit.—*De Successione, c. xxv.*

Another circumstance, also, which made this regulation partake less of hardship, was, that in this state of society the bond of consanguinity is usually very powerful, especially between the uncles and the nephews, and particularly the sons of the sister. Thus * Tacitus tells us, that among the ancient Germans the sister's children were as dear to their uncle as to their own father. Some, he says, regarded the former connection as the more sacred and binding.

Exactly the same ideas prevailed among the † Franks.

The influence, therefore, of such a regard, made the apparent injustice less considerable, as it was little more than a substitution of another parent in the room of that which they had lost.

This way of life, also, in some measure influenced the penal or criminal law. Thus theft ‡ was, among several of these nations, a capital crime; which was not the case with murder, &c. The reason why this crime was so severely animadverted is obvious. Property, in that state of life, consisted almost altogether in flocks and herds, which, from the roving disposition of the people, must frequently be || intermixed with one another. Thefts of that kind then must be easy to be committed, and very difficult of de-

* Sororum filiis idem apud avunculum quam apud patrem honor. Quidam sanctiorem arctioremque hunc nexum sanguinis arbitrantur, & in accipiendis obsequiis magis exigunt, tanquam ii & animum firmitus & domum latius teneant.—Taciti Germania.

† Sp. of Laws, book xviii. ch. 22.

‡ Thefts of cattle were punished with death, among the Goths.—Stiernhook, cap. v. de furtis, p. 371.—The modern laws of Sweden punish this offence by hanging, as formerly. — Loccen Titul. de furto, cap. ii. & xviii — The Danish laws are also very severe on this head.—Jur. Danic. lib. vi. cap. 17. § 36, 37.—By the Salic law, those who concealed a theft, or made any private composition for the recovery of their effects, were punished as the thief himself.—Stiernhook, l. iii. c. 5.

|| Nullum scelus apud eos furto gravius : quippe sine tecto munimentoque pecora & armenta inter silvas habentibus quid saluum esset si furari liceret?—Justin descript. Scytharum.

tection. They therefore endeavoured to guard against them by the || severest penalties.

The mode of trial most natural to this condition of mankind is difficult to be ascertained.

Perhaps the trial by the body of the people, or the nation in general, may be the most natural, as being most obvious, as well as the method most in use. Indeed, the trial by jury, which prevailed so universally among the northern nations, when in this state of civilisation, seems to be of this kind, and was probably originally only a delegation from the people at large. The trials, however, by * battle, by the oath of the party, and by superstitious modes of decision, have been all in use in their turn.

There is, nevertheless, one tribunal which appears to be naturally connected with this state of society, and which deserves to be particularly noticed; I allude here to the domestic tribunal for the inspection of the manners and conduct of married women. This was instituted at † Rome in the most early ages, when the people really were in this state of life. It was also in use among

|| *In furti reum securi, furcâ, defossione, vivicomburio animadverti posse, nec eo nomine vel hæredibus vel ecclesiæ, vel regi ullam satisfactionem deberi.*—Stiernhook, de jure Goth. p. 366.

* The trial by battle subsisted among the Getæ in the time of Ovid.

Non metuunt leges, sed cedit viribus æquum;

Victæque pugnaci jura sub ense jacent.

Tristium, lib. v. Eleg. 7.

Adde quod injustum rigido jus dicitur ense,

Dantur & in medio vulnera sæpe foro.

Trist. lib. v. Eleg. 10.

† It was instituted by Romulus; and the form of proceeding was, that in ordinary cases the husband should sit as judge, in the presence of the wife's relations; but that in heinous crimes he should determine in conjunction with them.—Dionys. Halicarn. book ii. ch. 25.

the German nations, in the time of Tacitus †, and continued long in force amongst the ‡ Visigoths and Lombards, and is still practised among some savage || nations.

When the authority of the magistrate is very imperfectly acknowledged, such a jurisdiction is naturally suggested; and appears, in the cases above mentioned, to have been managed in a manner as little exceptionable as any that could be contrived.

The punishments most usual or natural to people in this state are next to be noticed.

Capital punishments are, for the reasons given above*, very rare, and corporal punishments little used ††, on account of the disgrace they inflict, which would be †† intolerable among a people of a brave and military disposition, and endued with a high sense of honour.

Fines, however, and amerciaments, being liable to neither of these objections, were accordingly so much in use among them, as to comprehend, in many instances, nearly their whole ‡‡ system of criminal jurisprudence.

With regard to customs, there are few of a settled kind, that I know |||, that can probably be derived from, or that, indeed, accompany this way of life.

† Taciti Germania, cap. xviii, xix.

‡ LL. Wisigoth, lib. iii. tit. 4.—LL. Burgund. tit. lxxviii. lib. i.

|| Lafitau Mœurs de Savage, tom. i. p. 588.—European Settlements in America, vol. i. p. 180.

* See book iv. on Population.

†† The Arabs, says Dr. Shaw, seldom inflict any punishment, except banishment, even for the most enormous crimes.—Shaw's Travels, chap. i. § 4.

‡‡ The laws of the Franks, the Ripuarians, the Burgundians, and the Visigoths, and most of the other barbarous nations, were all founded upon this principle.

||| Hi neque moribus, neque lege aut imperio cujusquam regebantur.—Sallust. Bell. Jugurth. Descr. Numidarum.—Absque ritu stabili dispalantur.—Amm. Marcell. lib. xxxi. cap. 2. Descr. Alanorum.

The being constantly * armed, however, which I before mentioned as being a custom among savages, is equally prevalent among barbarians; as a military spirit is cultivated with at least equal ardour, and with more regularity and steadiness.

Another custom of the military kind, which prevails among several nations in this state, and may be said to be partly derived from their way of life, is that of scalping, or of tearing off the skin of the back part of the head, where the hair grows, of those whom they kill in battle. This is related by † Herodotus, as a practice of the Scythians, and by Ammianus Marcellinus as a custom of the ‡ Hunns, and is well known to be at present in use among the American Indians. The cause of this custom appears from Herodotus. Those who did not bring a testimony of their prowess, in having killed an enemy, by producing his || head, were excluded from any share in the spoil: but as the head of a

* Thucydides, lib. i. Luciani Anacharxis.

In quibus est nemo, qui non coryton, et arcum,
Telaque vipereo lurida felle gerat.
Vox fera, trux vultus, verissima martis imago :
Non coma, non ulla barba resecta manu.
Dextera non segnis fixo dare vulnera cultro,
Quem vinctum lateri barbarus omnis habet.

Ovidii Tristium, lib. v. elegia 7.

The Arabs, in the present age, always go armed, as for battle.—Irwin's Voyage up the Red Sea, p. 135.

† Every Scythian presents the king with the heads of those enemies he has killed in fight: for if he brings a head, he is entitled to a share of the booty, otherwise not. They flay these heads, by cutting a circle round the neck, just under the ears. Then they soften the skin with their hands; and the skins thus prepared serve instead of napkins, hanging on the bridles of their horses when they ride.—Littlebury's Herodotus Melpomene.

‡ —Proque exuviis gloriosis interfectorum avulsis capitibus detractas pelles pro phaleris jumentis accommodant bellatoriis.—Amm. Marcell. l. xxxi. cap. 2.

|| Strabo says, that in Carmania no one was suffered to marry, unless he had first brought the head of an enemy.—Strabon. lib. xv.

man

man was troublesome and inconvenient to carry about, especially in the heat of action, and also by a people whose way of life necessarily required frequent removals, the skin was allowed as a substitute, as bearing the same testimony of the fact, and as being much more portable.

Perhaps, * too, the custom of making drinking-cups of the skulls of their enemies might contribute to promote the custom of scalping. This last, however, does not appear to have had any cruelty in it, as they never scalped any without first cutting off the head; contrary to the practice in North America, which, it is greatly to be feared, was but too much encouraged by civilised nations.

The wearing long hair, I am apt to think a custom generally, though not universally, prevailing among barbarians. Thus † Strabo tells us, that the Belgæ wore long hair; ‡ Diodorus says the same of the Gauls; and in later times, among the Franks, the Burgundians ||, and the Visigoths, it was a mark of royal distinction. The § Tapyrii also, a barbarous nation on the Caspian sea, wore their hair very long; and the American Indians do so at present, inasmuch that several of those people use it as a quiver for their arrows; which, perhaps, may be the original foundation of its use among people in this state.

* Herodotus and Strabo both mention this as a custom of the Scythians.—Herodoti Melpomene, et Strabon. lib. 7.

Alboin king of the Lombards, having defeated and slain in battle Cunimond king of the Gepidæ, made a drinking-cup of his skull, out of which he compelled his wife Rosomond, the daughter of Cunimond, to drink at a public entertainment. The horror of this action, and the barbarous triumph over the misfortunes of her family, prompted Rosomond to assassinate her husband, which she shortly after effected.

† Strabon. p. 196.

‡ Diodor. p. 212.—Gallia Comata was so called from the long hair worn by the people.—Dion. Cass. lib. xlvii.

|| Sp. of Laws, book xviii. ch. 23.

§ Strabon. p. 520.

Some of the ufages or practices that prevail in this way of life appear to be very permanent. Thus the account of the Scythian Nomades, by † Herodotus, ‡ Hippocrates, and || Strabo, agrees almost exactly with the modern description * of the Tartars, even in some very minute circumstances.

S E C T. V. *Effects of the pastoral state of mankind on the form of government.*

What form of government this way of life tends most naturally to produce, is difficult to determine.

It is sometimes, in its external form, regal § or monarchical, but at the same time intermixed with a great degree of liberty.

Tacitus tells us, that the kings, among the ancient Germans, had but a very limited authority. The Hunns ‡‡ lived under a free government, as did also the Franks, and, indeed, most of the northern nations. Even the kings of Rome—a title which the

† Herodoti Melpomene.

‡ The Scythian Nomades pass their lives in this manner, as they have no houses, but dwell in waggons, some of which run upon six, and others upon four, wheels. These are smeared over with clay, and fashioned like houses; some of them with a single outside of planks, and others with a double or triple, by which they have sufficient strength to resist external injuries, and to keep out the snow, rain, and inclemency of the weather. The women pass their lives in these waggons, and the men ride on horseback. They live upon dressed flesh meat, and drink mares milk, and sometimes eat cheese made of the same milk.—De Aeribus, Aquis, et Locis.

|| Strabon. lib. xi.

* Guagnini Descr. Tartariæ.

§ Kings, in allusion to this state of life, are often called the shepherds of the people. This expression often occurs in the sacred writings, and is also made use of by Xenophon, in the Cyropædia; who remarks, “that the duties of a good king, and of a good shepherd, were nearly alike.” A strong presumption of the mildness of the government.

‡‡ Amm. Marcellin. lib. xxxi.

Romans afterwards abhorred so much, as being adverse to freedom—were very limited in their power.

The Tartars, indeed, who are undoubtedly in this state of civilisation, are said to be slaves to a despotic government: but the reason of this peculiarity has been before || explained. But though a regal form of government is, I believe, more general than any other, yet it is far from being universal. In several of the pastoral states, an aristocratical form appears to have prevailed. Polybius * relates, that the great men amongst the Gauls were used to procure a numerous train of followers, all ready to support their interests and execute their commands; and that every one of them was strong only in proportion to the number of his dependants.

Cæsar † says expressly, that the nobility had the sole direction of public affairs among the Gauls, the common people being esteemed no better than slaves, and never admitted to the public councils, but living in a state of villenage or subjection to their masters. The nobility also had considerable weight among the ancient ‡ Germans, the ||| Hunns, and the ** Franks.

In several, however, even of those last mentioned, the government was really in the people at large, which was the case with the †† Hunns, the § Franks, and the people of ancient †† Germany.

|| Book iii. chap. 2. of this work.

* Polyb. lib. ii. cap. 2.

† Cæsar Comm. lib. vi. cap. 8.

‡ Taciti Germania, cap. xi. xiii.

||| Aguntur enim nulla severitate regali, sed tumultuario optimatum ductu contenti, perrumpunt quicquid inciderit.—Amm. Marcellin. lib. xxxi. cap. 2.

** Sp. of Laws, book xxx. cap. 25.

†† Et deliberatione super rebus proposita feriis hoc habitu omnes in commune consultant.—Ammian. Marcell. lib. xxxi. cap. 2.

§ Sp. of Laws. See also note vii. § 1. to Dr. Robertson's Hist. of Charles V.

†† Taciti Germ. cap. vii, xi, xii, xiii.

S E C T. VI. *Effects of a pastoral life on religion.*

Several nations in this state of civilisation have but * slight notions of religion. Atheism, however, or the denial of the being of a God, is scarce † ever to be found.

A Divinity of the warlike kind appears natural to a people in this state, as well as the foregoing. Thus Mars, and weapons as his emblem, were, as has been before observed, worshipped by the Scythians, the Goths, and the Alans. The ancient Arabs paid divine honours to ‡ Bacchus, on account of his military exploits in India; and Mahomet found it agreeable to the disposition of the same people to say, that he was not sent with miracles, but with arms; and to make success in war the criterion of the truth or falsity of his religious doctrines. The principles of religion are, in this state of life, in some instances, very erroneous and perverted, a great stress being laid upon matters of the most frivolous and indifferent nature, whilst others of the most material importance are neglected. Thus the Tartars, under Jenghiz Khan, held it a great sin to put a knife into the fire; to lean against a whip; to strike a horse with his bridle; or to break one bone with another: but thought it no breach of any religious duty to break their word; to seize on another man's goods; to do an injury to his person; or to commit murder. These facts naturally suggest the reflection, of what vast importance it is to mankind, that those restraints, which our nature is capable of bearing, be directed to proper objects. In this light || Christianity appears with true lustre and dignity.

* Guagnini Hist. Tartaror.

† This is remarked by Ælian, Variæ Histor. lib. ii. cap. 31.

‡ Arrian, lib. vii.

|| Christianity, however, although its native and genuine precepts are principally relative to morality, has been so much corrupted in times of barbarism, as to be reduced to a mere artificial system of certain observances, that bear little or no reference to moral conduct.—See note xi. sect. 1. [L] to Robertson's History of Charles V.

I am inclined to think, though not without some doubt, that people in this condition of life are not inclined to idolatry, or to artificial or material representations of a Deity. The ancient * Arabs seem to have had no visible image † of the divinity; and probably the aversion shewn by the Mahomedan religion to idolatry was agreeable to the ancient disposition of that people. Herodotus says, that the Scythians had no images or representations of any deity, Mars only excepted; and the emblems of him, which were swords and warlike instruments, were not, perhaps, so much an object of adoration, as an allegorical expression of their wishes for military success and glory. The ancient Germans were, as has been before mentioned, averse to images of the Deity; and the Tartars, under Jenghiz Khan, were probably no idolaters.

Idolatry, indeed, appears to be by no means suited to this way of life. A people continually changing their quarters, and compelled often to make the most rapid migrations from one place to another, would be encumbered with statues and religious ornaments, which would retard their motion, and, if accidentally taken by the enemy, serve to dispirit their people.

Another circumstance that prevents their having any gods of this kind is, that they have no ‡ temples; which seem almost necessarily connected with this species of religion. Sacrifices, however, appear to be much in use in this state of society, as well as in the former. Indeed, animals seem to be the most obvious present to the Gods of any, from a nation who either lived by hunting, or rearing beasts in the way of pasturage.

People in this way of life, as well as the former, have no temples or habitations for their deities. Thus the Scythians, as I

* Arrian. Hist. Indic. liber.

† Arrian says, indeed, that the Arabs had a religious veneration for the sky or heaven.—Exped. Alexand. lib. vii.

‡ Herodoti Melpomene.

have before mentioned *, had no temples : and the same was a religious maxim with the † Alans, and other barbarous nations. The people of ‡ India, likewise—who, according to Arrian, led, before the time of Bacchus, a pastoral life like the Scythians—had no temples or public places of worship. The reason of this is obvious. As their wandering, transitory way of life, would not allow them to erect any permanent dwellings for themselves, they could have no idea of erecting any for the Deity. People in this state seem to have but a moderate attachment to religion in general, or any particular form or species of it. As they have few ceremonies, and no temples, they have no religious veneration derived from visible objects or local attachments. Hence the ease with which Mohammedanism was propagated among the Arabs and Tartars ; and hence too the little scruple which many of the barbarous nations, that invaded the Roman empire, had in embracing Christianity.

C H A P. III.

ON THE EFFECTS OF A LIFE OF AGRICULTURE UPON MANKIND.

SO far on the effects of a pastoral life. We must now advance a step farther, and consider the effect of the next stage, when men betake themselves to agriculture as a way of life, and general mode of subsistence.

* Book vi. ch. i. sect. 6.

† Amm. Marcell. De Morib. Alanorum.

‡ The Indians, says Arrian, were formerly shepherds, like the Scythians, who do not practise agriculture, but pass their lives in their waggons, travelling from place to place, and neither inhabit cities, nor respect temples of the Deity. In like manner the Indians had neither built towns for themselves, nor temples for the Gods.—Hist. Indic. liber.

S E C T. I. *Effect of a life of agriculture on the disposition.*

One of the most immediate effects of this alteration of the way of life is, that it imparts a settled disposition, and a great degree of local attachment. People that follow this occupation must necessarily erect fixed and stable habitations, and consequently are likely to contract a regard for what they have raised themselves. The very method, also, of procuring subsistence from the earth, renders the spot, which is the subject of cultivation, familiar; and a kind of natural gratitude for the increase, tends to endear it to the mind. The idea, likewise, of permanent and valuable * property, that is almost always annexed to this mode of living, tends greatly to fix people to a settled habitation, and to give them notions of local attachment and regard. Posterity look upon the same places with a degree of prejudice in their favour, and even with a kind of religious veneration, as having been the dwellings and favourite seats of their ancestors; to which ideas, family pride does not a little contribute.

It appears to have been a favourite piece of policy with the Romans, and that founded on the best principles, to instil a notion of local attachment as early as possible after the commencement of the state.

Hence the ceremonies used by Romulus at the foundation of his city, particularly the marking out of the boundaries by the ‡ plough, which seemed to indicate a connection between agricul-

* The possession and the enjoyment of property are the pledges that bind civilised people to an improved country.—Gibbon's Hist. of the Decline and Fall of the Roman Empire, ch. ix. p. 227.

‡ Roma vocata erat *urbs* ab *urbo* sive *urvuo*, id est aratro, sic aratri curvatura dicitur, quia antiqui locum ædificiis condendis aratro designabant; ut Virgilius,
Interea Æneas urbem designat aratro.

Craig. Jur. feudal. lib. i. Dieges, i. § 4.

Plutarch also mentions, that Romulus yoked a bull and a cow to a plough with a brazen ploughshare, with which he marked out the bounds of his city.

ture and a permanent establishment: add to this, the sacred estimation in which the walls of the city were held, and the severe penalty which there was on their being passed over. Religion, also, was made to concur in the same idea; and the Penates, which were buried beneath the fire-hearth, gave no small strength to these suggestions. The magnificent buildings, also, which were erected so early after the commencement of the state, were probably intended for the same purpose. Of this, the aquæducts and drains, as well as the temples of Tarquin, some of which remain * entire to this day, are remarkable instances. The motives of local attachment of this people, are finely recited in the speech of the dictator † Camillus, when he endeavoured to persuade the people
not

* Intentus perficiendo templo, ex fabris undiquè Etruriâ accitis, non pecunia solum ad id publica est usus; sed operis etiam ex plebe qui quum haud parvus, & ipse militiæ adderetur labor, minus tamen plebs gravabatur se templa Deum exædificare manibus suis: quæ posthac & ad alia, ut specie minora, sic laboris aliquanto majoris traducebatur opera; foros in Circo faciendos, cloacamque maximam receptaculum omnium purgamentorum urbis sub terram agendam: quibus duobus operibus vix nova hæc magnificentia quicquam adæquare potuerit.—Livii, l. i. sect. 56.—Vide etiam, Dionys. Halicarnass.

† Urbem auspicato inauguratoque conditam habemus. Nullus *locus* in ea non religionum deorumque est plenus. Sacrificiis solennibus non dies magis statim quam *loca* sunt in quibus fiant. Hos omnes Deos publicos privatosque Quirites deserturi estis? Quod quum ita sit quæ (malum) ratio est expertis alia experiri! Quum jam ut virtus vestra transire alio possit fortuna certè *loci hujus* transferri non possit. Hic capitolium est: ubi quondam capite humano invento responsum est, eo loco caput rerum summamque imperii fore; hic quum augurato liberaretur capitolium juvenitas terminusque maximo gaudio patrum nostrorum moveri se non passi: hic Vestæ ignes, hic ancilia cælo demissa, hic omnes propitii manentibus vobis dii.—Titi Livii, lib. v.

Forſitan aliquis dicat aut Veiis nos facturos, aut huc inde missuros sacerdotes nostros qui faciant: quorum neutrum fieri salvis cæremoniis potest. Et ne omne generatim sacra omnesque percenseam Deos, in Jovis epulo num alibi quam in Capitolio pulvinar suscipi potest. Quid de æternis Vestæ ignibus signoque quod imperii pignus custodia ejus templi tenetur loquar? Quid de ancilibus vestris Mars Gradive, tuque
Quirine

not to quit the city and remove to Veii, as some of them had proposed.

But the strongest instance, perhaps, of any, is to be found in the conduct of the above-mentioned great man, who (as Plutarch tells us) when the Romans who had escaped to Ardea, from the battle of Allia, proposed to him to return to the assistance of his country, refused to take any part before his banishment was repealed, and proper authority conferred upon him by the Romans, who still remained at Rome, and defended the Capitol, as he considered them only as the State and Commonwealth. Even the most sacred expression among the Romans, of defending and fighting for what was most dear to them, and what included their country †, was of a local nature; which plainly denoted the great influence which motives of that kind had upon them.

It appears to me probable, though I speak here with diffidence, that the Greeks possessed much less local attachment than the Romans. No marks of any thing of this kind are, I believe, to be found among the institutions of Sparta. The Athenians were persuaded, without much difficulty, to quit their city on the invasion of Xerxes; and * Themistocles told Euribiades, the Lacedæmonian, that the Athenians, who were then embarked aboard their fleet, could easily find as good a country as that which they had

Quirine pater? Hæc omnia in profano deferi placet sacra—æqualia urbi, quædam vetustiora origine urbis,—Vestalibus? Nempe illa una sedes est ex qua eas nihil unquam præterquam urbs capta movit. Flamini Diali noctem unam manere extra urbem nefas est. Hos Veientes pro Romanis facturi estis sacerdotes, & Vestales tuæ te deferent Vesta. Et flamen peregrè habitando in singulas noctes tantum sibi rei que publicæ piaculi contrahet? Quid alia, quæ auspiciatò agimus, omnia ferè intra pomærium, cui oblivioni, aut cui negligentiae damus? Comitia curiata quæ rem militarem continent, comitia centuriata quibus consules tribunosque militares creatis, ubi auspiciato nisi ubi adsolent fieri possent? Veiosne hæc transferemus?—Livii, lib. v. Orat. Camilli.

† *Pro aris & focis.*

* Plutarch's Life of Themistocles.

quitted. † Pericles, also, in the speech assigned to him by Thucydides, makes little account of the loss of places or territory; but expresses great concern for the safety of the people: quite contrary to the sentiments of the Roman leader, who thought that the quitting the city of Rome would be a greater misfortune than the battle of Allia.

The same ideas seem to have prevailed in the oratorical performances of the respective nations. Demosthenes invokes the shades of the heroes that fought at Marathon and Plataea; ‡ Cicero calls to witness the tombs, the groves, and the altars; and it appears, from the work on oratory ascribed to || Tacitus, that this kind of personification of such objects, was a favourite figure of speech among the Romans. Agriculture appears to have been in the highest esteem in the Roman state; and probably, in some measure, for this reason, of inspiring a local attachment to their country. Indeed, as they neglected, and even despised commerce, they had scarcely any other domestic employment, except war; to the support of which agriculture is extremely well adapted, by furnishing a supply of strong and healthy men. The elder Cato thought it not beneath him to write a treatise concerning agricul-

† We ought not to wail for our houses and lands, but for the lives of our people; because lands and houses can never acquire men, but are by them acquired.—Smith's Thucydides, book i.

‡ Vos enim jam Albani tumuli atque luci, vos inquam imploro atque obtestor, vosque Albanorum obrutæ aræ, sacrorum populi Romani sociæ & æquales, quas ille præceps amentia cæsis prostratisque sanctissimis lucis substructionum infanibus molibus oppresserat! vestræ tum aræ, vestræ religiones viguerunt, vestra vis valuit, quam ille omni scelere polluerat. Tuque ex tuo edito monte Latiali, sancte Jupiter, cujus ille lacus, nemora, finesque, sæpe omni nefario stupro & scelere macularat, aliquando ad eum puniendum oculos aperuisti. Vobis illæ vobis, vestro in conspectu, feræ, sed justæ tamen & debitæ poenæ solutæ sunt.—Cicero. Orat. pro Milone.

|| Nemora vero & luci & secretum ipsum quod Aper increpabat tantam mihi afferunt voluptatem ut inter præcipuos carminum fructus numerem.—Taciti Oratores, cap. xii.

ture,

ture, wherein he speaks of its importance * in the most favourable terms. Terentius Varro, likewise, esteemed to be the most learned of the Romans, employed his pen upon the same subject. Even † Cicero every where bestows the highest encomiums on agriculture, which he seems to think the only occupation suited to a free-man; and ‡ Columella professes an opinion of a like nature.

But the most remarkable example, perhaps, of any, is to be found in the elegant and polished Virgil, who, although the favourite of a splendid court, and at the summit of poetical reputation, did not think it beneath him to employ his talents on the subject of agriculture; and it is remarkable, that his works in this way, are no less distinguished and excellent, than those written on a sublimer subject.

Agriculture, on the other hand, was regarded in a very mean light by the Greeks. Plato || requires, in his republic, slaves to till the land; and § Aristotle, though with some reserve, expresses a desire that agriculture should be left to people in that rank of life; though he at the same time confesses, that those were the best-ordered republics wherein the citizens themselves tilled the land.

* Et virum bonum cum laudabant, ita laudabant bonum agricolam bonumque colonum. Amplissimè laudari existimabatur, qui ita laudabatur. Mercatorem autem strenuum studiosumque rei quærendæ existimo, verum ut supra dixi periculosum & calamitosum; at ex agricolis & viri fortissimi & milites strenuissimi gignuntur. — Marci Caton. de re rustica, lib. i.

† Omnium autem rerum ex quibus aliquid acquiritur nihil est agricultura melius, nihil uberius, nihil homine libero dignius. — De Officiis, lib. i.

‡ Unum genus liberale & ingenuum rei familiaris augendæ quod ex agricultura contingit. — Columell. lib. i.

Cincinnatus, Fabricius, Manius Curius, and the greatest men among the Romans, worked personally at the labours of agriculture. — See Livy and Dionys. Halicarnass.

|| De Legibus, lib. v.

§ Aristotle, de Republica, lib. ii. cap. 5.

Pursuant

Pursuant to this idea, the Spartans made use of the * helotes in cultivating the land of Laconia, the Cretans of the † Periæci, and the Theffalians of the ‡ Penestes. These were the original inhabitants of the country, who were subdued by the conquering people. The Athenians ||, likewise, were divided into two parts, the *ευπατριδαι* or well born, and the *αγροικοι* or husbandmen. The former had the administration of all the offices in the state; the latter were esteemed of an inferior degree.

I am inclined to believe, that the encouragement of agriculture among the Romans was a refined piece of policy, and what contributed greatly to raise that state to a pitch far exceeding the Grecian republics, and at the same time rendered it more stable and durable.

My reasons for this opinion are as follows :

The agricultural employment of the Romans was more constant and healthy than the gymnastic exercises of the Greeks, which were substituted in place of it. The former, also, employed a much greater number of people.

It also, when joined to an Agrarian law, tended greatly to preserve an equality of fortune among the members of the state.

It gave the state an opportunity of employing all the people, and united them all in one common interest; whereas, in Greece, a part of the force was always necessary to be retained at home, in

* Pausanias, l. iii.—Plutarch's Life of Lycurgus.—Xenoph. de Lacedæmon. Republic—et Aristotile de Republic.

† Arist. de Rep. lib. ii. cap. 9, 10.

‡ Strabon. lib. xii.

|| Dionys. Halicarnass. book ii. ch. 8.—Diod. Sicul. lib. i. p. 17.

Every man, says Xenophon, may be a farmer; no art or skill is requisite; all consists in industry, and attention to the execution; a strong proof, as Columella hints, that agriculture was but little understood in the time of Xenophon.—Indeed, the soil of Attica, as managed by the Athenians, did not admit of much agricultural improvement.—Vide Xenophont. de Proventibus.

order to be a check on that part of the community which was in a servile state, and which was always, as might well be expected, ripe for a revolt.

It gave an additional motive of attachment to the state, not only from personal §, but also from local regard; and in this way bound them more closely to its interests, than those whose concern was merely personal. Agriculture, likewise, by dispersing the people through the country, and by providing them with constant employment, rendered them less factious and licentious than when they were assembled in towns, and gave a greater steadiness and uniformity to their political conduct; a thing much wanted at Athens, where every thing was governed by the populace, which was as mutable and uncertain, as violent and impetuous. But at Rome, the people scarcely * interfered at all in foreign political affairs; which were all managed by the senate and consuls, and were, on that account, steadily and uniformly conducted, and the interests of the state more regularly pursued than at Athens.

Agriculture, likewise, is much more favourable to modesty and purity of manners, than the gymnastic exercises of the Greeks. The latter had the most odious effects in promoting a detestable passion, that ought to be proscribed by all nations. This was authorised by a shameful law among the Thebans † and the ‡ Cre-

§ On this account, says Xenophon, a country life is very much to be preferred to that of a town, as one that supplies a people whose qualities are more excellent, and their attachments to the state much stronger. — Xenophon *Oeconom.* ch. v. sect. 10.

The Romans employed both these motives, with great success, in strengthening the bond of union between individuals and the state. One of the terms by which the love of our country was expressed, was personal (*pro patria*;) and another of a local nature (*pro aris & focis.*)

* Polybii, lib. vi. extr. 1.

† Plutarch's *Life of Pelopidas.*

‡ Aristot. *de Republic.* lib. ii. cap. 10.—Strabon. lib. x.

tans,

tans, under a pretence of softening the manners of the youth, which the ferocity of an athletic life was likely to render savage. This passion, however, was far from being encouraged among the || Romans, but always held infamous and detestable.

But to return from this digression.—I am inclined to think, though not without some doubt, that although the local regard and attachment is increased by this change in the way of life, the personal attachment to individuals is rather diminished. Thus instances of friendship occurred, I am apt to think, more commonly among the * Greeks than the Romans, as the former of these people approached nearer to a pastoral state. Homer is every where full of the most devoted attachment of this kind, which he describes so naturally, and at the same time with such force and energy, and seems to take such pleasure in dwelling upon it, as strongly intimates it to be a description of the manners of the age in which he lived, and of the estimation in which these regards were then held.

Virgil has, indeed, given us a picture of a similar connection, which, on many accounts, can hardly be too much admired; but it is evidently an imitation of Homer, and that so exact, as indicates that this passion was originally little felt or encouraged among that people with whom Virgil lived.

Even Cicero, although he has written a most elegant and valuable work on this species of regard, had, I am apt to think, no very high idea of it, at least in that degree which was so much cultivated among the Greeks.

|| Those who committed it were called *corpore infames*.—Taciti Germ. cap. xii.

Virgil has, indeed, described the criminal passion of Corydon for Alexis, in his second Eclogue; but this is thought to be an imitation of the third pastoral of Theocritus, called *Comastes*, or perhaps of the twelfth, called *Aites*.

Sallust likewise speaks of this crime with great abhorrence, and scarcely credible even of Catiline.—Bell. Catilinar.

It was death by the civil law.—C. ix. 9, 31.

* See the Symposium of Plato, Speech of Phædrus.

His

His accurate descriptions of this passion and its several species, the bounds to which it should extend, the means whereby it may be dissolved, and the circumstances of life best adapted to it, argue, indeed, a philosophical knowledge of the subject, but not a sensibility and feeling of the emotions it produces; and, in my opinion, we are not only more entertained, but also more instructed in the nature of friendship, by reading the description of the connection of Achilles and Patroclus in Homer, than by all Cicero's elaborate, and, indeed, excellent performance. I am, indeed, apt to think, that Cicero's fondness for the Grecian philosophy and literature, not only caused him to chuse this as a subject of disquisition, but also influenced his style and manner of writing concerning it.

Another alteration which the change of the way of life, as I apprehend, produces, is the rendering the people less addicted to war, and a life of warfare*. I do not, however, mean to insinuate, that the practice of agriculture tends to abate courage; only that, by employing the time and diverting the attention, it forms another object of pursuit, and consequently leaves less leisure and opportunity for warlike employment. The different methods, also, of procuring sustenance, as well as the nature of the food itself gained by agriculture, from that got by hunting, or in a pastoral life—both which last have been before observed to be nearly altogether of the animal kind—render the people who live by agriculture, and who, of consequence, feed much on vegetables, much less ferocious and cruel, and of consequence less daring, than those who live either by hunting or pasturage.

The northern nations, who invaded the Roman empire, had their ferocity greatly abated by settling in the countries they had seized, and thus changing their way of life; and some of them

* Strabo tells us, that the Romans compelled the inhabitants of Gallia Narbonensis to follow the profession of agriculture, in order to abate their warlike disposition.—Strabon. lib. iv.

were successively expelled by others, as they altered their disposition, and became less warlike.

The Romans, however, appear to be a notable exception to the position here laid down, as that people were the greatest encouragers of agriculture, and at the same time the most successful in * military affairs, of any nation that ever was known; to which
success:

* Romulus, says Dionysius Halicarnassensis, being sensible that the means by which a whole people (the greatest part of whom are hard to govern) can be induced to embrace a life of society, to prefer justice to gain, to cultivate a perseverance in labour, and to look upon nothing more valuable than virtue, is not instruction, but the habitual practice of such employments as lead to every thing that is virtuous; and that those who practise them from necessity rather than choice, as soon as they are freed from that restraint, return to their natural disposition. For these reasons he appointed slaves and foreigners to exercise those trades that are sedentary and mechanical, and promote shameful appetites, looking upon them as the destroyers and corruptors both of the bodies and minds of all who practise them; and these trades were for a long time held ignominious by the Romans, and exercised by none of them. The only employments he left to freemen were these two, agriculture and warfare: for he observed, that the men so employed are temperate, less intangled in the pursuits of forbidden love, and subject to that kind of avarice only, which leads them not to injure one another, but to enrich themselves at the expence of the enemy. But finding that each of these occupations, separate from the other, is imperfect, and produces murmurs; instead of appointing one part of the men to till the earth, and the other to lay waste the enemies country, according to the institution of the Lacedæmonians, he ordered the same persons to exercise the employments both of husbandmen and soldiers, and accustomed them, in time of peace, to live in the country, and cultivate the land, except when it was necessary for them to come to market; upon which occasions they were to meet in the city, in order to traffic; and to that end he appointed a market to be held every ninth day: and in time of war, he taught them the duty of soldiers, and not to yield to any, either in the fatigues or advantages which attend it; for by dividing equally among them the slaves, lands, and money they had taken from the enemy, he inspired them with a cheerfulness to engage in his military expeditions.—Dionys. Halic. b. ii. ch. 28. Spelman's Translat.

Ancus Martius likewise advised the people to apply to agriculture.—Dionys. Halicarn. book ii. ch. 27.

Several of the military rewards, at that period, were relative to agriculture. Horatius Cocles received as a reward, as much land as he could incircle with a plough in one day.—Livii, lib. ii. cap. 10.—Dionys. Halicarn. b. v. ch. 25.

The

success their attention to agriculture is justly thought to have not a little contributed. Had the northern nations, who settled in Lombardy and Italy, not only pursued the same method of life, but also preserved their military temper and occupation, like the Romans, instead of sinking into luxury, sloth, and effeminacy, their adopting the profession of agriculture would only have rendered them more formidable, by affording them a supply and recruit for their armies, an advantage of which they had the greatest need. All, therefore, that I mean should be here understood is, that the change from a pastoral state to a life of agriculture renders the profession of arms less universal among the people; not that it abates their military strength or power, but, when well regulated, rather increases it*. Agriculture, I apprehend, is much more favourable to industry than either of the foregoing ways of life. Among a people who subsist in a great measure by hunting, great part of the time is spent in † idleness; and although a pastoral life is rather more active, it requires attention rather than labour. But the cultivation of the soil, and the reaping its fruits, demand a regular and unceasing toil, which fully occupies the time, although it does not need any violent exertions of strength. However, this constant

The same reward was given to Mucius Scævola.—Dionys. Halic. b. v. ch. 25.

Several of the punishments, as well as rewards, about that period, had a reference to agriculture. Thus the Romans, in the consulship of Menenius, son to Menenius Agrippa, abolished all pecuniary fines, and changed them to payments in sheep and oxen.—Dionys. b. ix. c. 28.

* It is only civilised nations that make war. The contests of savages and barbarians are only robbery. Strabo says, that Massinissa civilised the Numidians, and taught them agriculture, and instructed how to make war, instead of robbery and plundering. Tacitus gives a like account of the Catti, whom he represents as the most knowing and intelligent of any of the German nations; that the other nations went out to battle, but the Catti only made war.—Strabon. lib. xvii.—Taciti Germ. cap. xxx.

† Multum venatibus, plus per otium transigunt.—Taciti Germaniæ, cap. xv.

laborious employment imparts great power and ‡ firmness to the body, and by that means renders those who practise it extremely well suited to any || warlike business. Another effect of an agricultural or rustic life, is that of exhibiting characters in their original and native form. In mixed society, people are obliged to conceal or dissemble their sentiments, and assume a behaviour and style of action often foreign to their real opinions and inclinations.

The prevalence of fashion, the influence of example, the desire of applause, and the dread of censure, obstruct the natural tendency of the mind, and, in place of the character formed by nature, substitute a creature of art. But the solitude of a country life, which removes people at once from the immediate example, advice, or censure of their neighbours, renders every man in some measure independent of another, and encourages him to give a loose to his inclinations, and to acknowledge no other director, in matters of moral * indifference, than his own will or caprice.

‡ Nations who practise agriculture are much stronger in body than those who live by hunting, or pasturage at least; they are more capable of persevering and continued labour. Thus it appears from Tacitus and Dion Cassius, that the Germans were incapable of any long endurance of fatigue and labour; and the same is true of the American Indians.—Taciti German. cap. iv.—Dion. Cass. lib. xxxviii.—Robertson's Hist. of America.

|| At ex agricolis et viri fortissimi et milites strenuissimi gignuntur.—Cato de Re Rusticâ.

At mehercule vera illa Romana proles assiduis venatibus, nec minus agrestibus operibus exercita, firmissimis prævaluit corporibus, ac militiam belli cum res postulavit facile sustinuit, durata pacis laboribus, semperque rusticam plebem præposuit urbanæ.—Columellæ, lib. i.

Vide etiam Xenophont. Œconom. cap. v. § 4.

Oliver Cromwell advised the parliament to enlist into their service farmers sons, and men bred to agriculture.—Hume's Hist. of England.

Machiavel was of the same opinion.—Art of War, book i. ch. 8.

* See Rambler, No. 138.

S E C T.

S E C T. II. *Effects of a life of agriculture upon the Manners.*

First, as to the moral part. I am apt to believe that the change of the way of life, from pasturage to agriculture, contributes, in several respects, to the improvement of the moral character.

It has been before observed, that, at the first introduction of the knowledge of property, the desire of obtaining it is more violent than in the subsequent stages. Men are at that time not only influenced by the power and respect it bestows, and the gratifications it purchases, but are also attracted by it as a novelty, and consequently their thirst after it is * immense, especially the signs of it, as the precious metals. Hence the violent avidity for gold, shewn by the northern nations who invaded the Roman empire, and in some measure by the Spaniards who invaded Peru and Mexico; to which last the quantity of riches discovered was at least as new and unexpected as what was acquired by the former.

People, too, who are but newly acquainted with property, and who, from their way of life, possess a great degree of ferocity of disposition, except at no means, however violent, to attain it. Hence the horrible † depredations of the northern nations, on their invasion of the southern parts of Europe; who at first sight seem to have had no other end in view than the utter destruction of the countries into which they penetrated. But when these very people began to settle in the parts they had subdued, their ferocity and cruelty abated; they became just and regular in their dealings, and enacted the most equitable ‡ laws. Property, at their first being acquainted with it, excited only a desire of procuring it, which they gratified at all events; but afterwards they considered that a

* Auri cupidine immensâ flagrantes.—Amm. Marcell. Desc. Hunnor.

† Robertson's Hist. of Charles V. vol. i. note E.

‡ This was the character of the laws of the Burgundians, Saxons, and Lombards.
different

different mode of conduct was necessary for the preservation and enjoyment of it, and to repress the same || violence to themselves, which they had employed in obtaining it. Agriculture had likewise a great effect in repressing violence, by communicating a mode of obtaining property by labour and industry; which were soon found to be more secure and permanent, as well as more regular, methods of acquisition than force and rapine, and which quickly imparted notions of * justice and honesty in all their dealings and transactions. The mixture of vegetable diet, which a life of agriculture necessarily introduced, contributed likewise, I imagine, to abate their ferocity.

Agriculture also, I believe, improves the morals of the people, by dispersing them over the country. A pastoral life naturally collects great numbers of people together; which always tends to corrupt their manners, especially when so much time is unemployed, as is the case in that way of life. But agriculture requires that the people should be scattered, and likewise it supplies them with constant employment, and by that means removes two great sources of corruption. Thus the Romans, who were at first collected from shepherds, robbers, and outlaws, soon became, by

|| Arrian tells us, that Alexander built cities for the Indian nations, that they might no longer lead a wandering life, but betake themselves to the works of agriculture, in order that being possessed of property, which naturally imparted some concern for its preservation, they might on that account be more cautious of offering violence and injury to others.—History of India.

* The earth, says Xenophon, which is itself a Deity, teaches justice to all who are capable of considering its nature, as it makes the most ample recompence to those who duly attend to its cultivation.—Œcon. ch. v. § 12.

——maxime pius quæstus stabilissimusque consequitur, minimeque invidiosus. minimeque malè cogitantes sunt, qui in eo studio occupati sunt.—Cato de Re Rusticâ, lib. i.

Cicero had a great opinion of the good effects of an agricultural life on the manners and conduct.—See his work De Senectute & pro L. Roscio Amerino.

Strabo says, that those who practised agriculture in India were the most moral and just of any of the ranks of people.—Descr. Indiæ.

settling

settling in a fixed habitation, and by application to agriculture, a people highly moral and religious ; and the barbarous nations that invaded Europe, abated much of their ferocity, violence, and rapacity, on settling in the countries they had conquered. Agriculture likewise may, I think, be considered as favourable to morals, as it is an advance towards civilisation. This always introduces a sense of decorum and propriety into our conduct, adverse to the commission of flagitious actions ; which serves as a considerable check on those disposed to perpetrate them.

As to internal corruption, or that which arises from the influence of money, I am inclined to think that this also is diminished by the change of the way of life. The nations who live in a pastoral state at present, are the most venal and corrupt of any in the world. The Arabs and Tartars will do any thing for money ; and it seems to have been held in equal estimation by the northern nations. It appears, from all accounts, that the ancient Gauls were excessively fond of gold. Brennus offered to raise the siege of Rome for a thousand pounds weight of gold. The *Gasatæ* were so called, from serving under any people for pay. The † *Insubrians* and *Boians* bribed the kings of the Gauls to make war upon the Romans. Livy ‡ also tells us of the same people, that although Hannibal had gained their alliance and good-will, he could not keep them steady to his interest, without making presents of this metal to their chiefs. But the nations who have encouraged agriculture, have in general preserved a greater degree of independence and dignity of character. The Romans, in the early ages of the republic, were highly disinterested and public-spirited. Manius Curius, Fabricius, Cincinnatus, Regulus, all of whom led a life of agri-

† Polyb. b. ii. ch. 2.

‡ *Præoccupatos jam ab Annibale Gallorum animos esse, sed ne illi quidem ipsi satis mitem gentem fore, adeo ferocia atque indomita ingenia esse, ni subinde auro, cujus avidissima gens est, principum animi conciliantur.*—Livii, lib. xxi.

culture, afford instances that they then possessed these virtues in the most eminent degree; and these examples were highly respected, and quoted with admiration by that people, even in the most * degenerate times.

I am inclined to believe, that the manners, as far as relates to the behaviour, are less polished in this state of life than in the foregoing, though perhaps this may not always hold true.

Tacitus tells us, that the behaviour of the Germans was † courteous and obliging to strangers; and the manners of the people during the middle ages, when the nations of Europe in general were little removed from a state of barbarism, were in a high degree ‡ respectful, polite, and elegant. Where nearly every man in a state is of the same profession, it introduces a kind of equality, and renders each of them an object of respect to the other; consequently no tyrannical or oppressive ascendancy is gained by any particular set or rank of people, which often takes place in states where there are a variety of functions and occupations. Where men, also, are constantly assembled in great numbers, necessity

Regulum, et Scauros, animæque magnæ
Prodigum Paulum, superante Pœno,
Gratus insigni referam Camœnâ,
Fabriciumque.

Hunc et incomptis Curium capillis
Utilem bello tulit, et Camillum
Sæva paupertas, et avitus apto
Cum lare fundus.

Horatii Odar. l. i. od. 12.

—————parvoque potentem
Fabricium, vel te sulco Serrane ferentem.

Virgil. Æneid. l. vi. l. 844, 845.

Vide etiam Siliî Italic. lib. xiii. l. 720.—Valerii Maxim. lib. iv. c. 4.—Claudian. lib. iv. l. 412. Conf. Honor.—et in Rufinum, lib. i. l. 100.

† Victus inter hospites comis.—Tacit. German. c. xxii.

‡ Stuart's View of Society in Europe, ch. ii. sect. 5.

compels them to attend to the formalities of behaviour ; which are the more strictly observed, not only to keep up the respect of the people for each other—on which military courage so much depends—but also from the consideration that each individual has constantly by his side a weapon, ready to revenge insults and chastise neglects. But an agricultural state is nearly, in every respect, the reverse of that just described. There is a necessity for different ranks, as well as functions and occupations, in such a society; the nature of their employment being local, precludes them from variety of acquaintance ; and their sense of honour is seldom so nice as to render transgressions in point of behaviour, unless accompanied with some substantial injury, great objects of concern. In short, the politeness of agricultural nations, like what Mr. * Montesquieu has observed of the English, is rather in their morals than in their behaviour.

How this way of life influences the condition of women, is difficult to determine ; and perhaps it may be different in different countries. Among the Romans †, the situation of women was highly respectable. Romulus ordained, that the wife should be an equal partaker of the fortune with her husband ; and she was even associated with him in the office of ‡ priesthood. The coalition of the Romans and Sabines was brought about by the intercession of women, which were also thought the most secure || hostages that could be given to Porfena. Cloelia, one of these, had an ** equestrian statue erected to her honour at the public charge. The injury offered to Lucretia procured the expulsion of the Tarquins, and that

* Sp. of Laws, book xix. c. 27.

† Perhaps the warlike turn of the Romans might make the women more regarded. It is an observation of Aristotle, which is verified by experience, that women have the most power among a warlike people.—De Republica, lib. ii. cap. 9.

‡ Dionys. Halicarn. book ii.

|| Livii, lib. ii. cap. 13.

** Livii, lib. ii. cap. 13, 14.—Dionys. Halic. b. v.

to Virginia produced the restoration of the ancient form of government. But the most remarkable instance, perhaps, of any, is to be found in the history of Coriolanus; who, although deaf to the intreaties of the senate in general, and his most intimate friends, the greatest persons in the state, yielded, notwithstanding, to female supplication, and spared his country from the destruction * he was about to inflict.

I am apt to think, that an agricultural way of life is extremely favourable to paternal authority.

The power of a father over his son, in the Roman republic, was very great, and nearly unbounded. He might, at any period of the life of the latter, inflict upon him † any corporal punishment, however disgraceful; might confine him, reduce him to the condition of a slave, and even put him ‡ to death. Parricide was, for a long time, esteemed a crime impossible to be perpetrated; and when, at last, experience taught them the necessity of enacting a law for its punishment, the penalty of death was inflicted in the most odious || and disgraceful manner.

* A temple was built on this occasion, and dedicated to the fortune of women, *fortunæ muliebri*.—Livii, lib. 2.—Dionys. Halicarnass. book viii.

† By virtue of this law, says Dionysius, men of distinction, whilst they were haranguing from the rostra, in opposition to the senate, and in favour of the people, and on that account gaining great popularity, have been pulled down from thence, and carried away by their fathers, to undergo such punishment as they thought fit; and whilst they were leading away through the Forum, none present, neither consul, nor tribune, nor the people themselves—who were flattered by them, and thought all power inferior to their own—durst give them any assistance.—Dionys. Halic. book ii. § 26.

‡ Aulus Fulvius set out to join Catiline; his father called him back, and put him to death.—Sallust. Bell. Cat.

It must, however, be observed, that the Romans did not exercise the power of life and death over their children, without the formality of a trial, at which the friends and relations were present, and according to their sentence the punishment was inflicted.—Valer. Maxim. l. v. c. 8. § 2, 3, 5.—See also Puffendorf, b. iv. c. 2.

|| They were tied up in a sack, with a dog, an ape, a cock, and a fox, and thrown into the sea.

The

The Roman senate, to whom the government of the state was originally intrusted, were called fathers, from the resemblance of their authority to that of parents, and perhaps in order to preserve the respect for that connection. The country itself was named *Patria* on a similar account, and was supposed to mean the * senate and magistrates. It was a maxim amongst them, that parental authority was to be moderated by † patience and submission only. No man could hold any public office, or be a magistrate, whilst his father was a prisoner among ‡ the enemy. Perhaps, too, the custom of adoption, so frequent among this people, might be instituted in order to extend paternal authority.

Egypt ||, also, where agriculture was carried to a high pitch, was remarkable for the great respect paid to parents.—Children gave their parents honourable burial; they pledged their bodies for large sums, and those who did not redeem them, were themselves denied interment. A father, in Egypt, was not put to death for killing his son; but a son, who killed his father, was executed with the most horrid tortures.

In China, likewise, where agriculture is the main object of the state, great regard is paid to the connection between children and their parents.

Father Le Comte § tells us, that if a son should be so insolent as to shew any disrespect to his parents, or to lay violent hands upon them, no punishment is thought too severe for such a crime. The emperor himself performs the office of judge. All the Man-

* Livii, lib. xxv.

† Parentum sævitiam patiando & ferendo leniendam esse.—Livii, lib. xxvii.

‡ Dionys. Halicarn. book ii.

The only law of Romulus that remains, respects filial obedience.—“*Sci Parentem puer verberit, ast oloe plorassint, puer diveis parentum facer esto; si nurus, sacra diveis parentum esto.*—Rosini, Antiq. p. 559.

|| Diodor. Sicul. lib. i.

§ Le Comte, on the Policy and Government of the Chinese.

darins, near the place, are turned out, especially those of that town who have been so negligent in their instructions. They destroy the house of the offender, and even those adjacent, and set up monuments and memorials of so flagitious an action.

Obedience to parents, and respect to superiors, is likewise the characteristic of the Japanese nation, according to a late account ‡; which also remarks, that agriculture is so well understood there, that the whole country, even to the tops of the hills, is cultivated.

No people encouraged agriculture more than the Jews; and among none was paternal authority † more respected. The only promise of reward, at least of a temporal kind, mentioned in the ten commandments, is annexed to the condition of honour and respect to parents.

I do not, however, mean to say, that an agricultural life was, in these instances, the sole cause of this respect, but only that it concurred to produce this effect.

On the other hand, I apprehend, that where little or no attention is paid to the cultivation of the land, the parental authority is but little regarded. Thus the American Indians *, who live by hunting, pay no respect to their parents, and often treat them with harshness and insolence; nor do the parents expect any peculiar attention or duty from their children.

Barbarous nations, likewise, I am apt to think, have but slight notions of this connection. Tacitus does not precisely inform us what force it had among the ancient Germans, whilst it subsisted; but we know that it was dissolved at that period of life || when

‡ Thunberg's Journal of a Voyage to Japan.—Philosoph. Transactions, vol. lxx. p. 1.

† Agriculture was an honourable employment among the Jews, concerning which their legislator had entered much into detail. (See Leviticus, chap. xxv. and many other places.) By the municipal law of the Jews, he that cursed his father or mother were put to death.—Levit. xx.

* Robertson's America, book iv.

|| Ante hoc domus pars videtur; mox reipublicæ.—Taciti German. cap. xiii.

they

they were able to carry arms. From the way of life, also, of the barbarous nations described by Ammianus Marcellinus †, it is probable that this obligation could not be very powerful; as the children were bred up to the age of puberty by women; were never personally acquainted with their fathers, being brought up promiscuously, and at a distance from their native connections, and consequently could not be much under their controul.

In the Greek republics, where agriculture was but little in esteem, the power of a father over his children was neither so great, or of so long duration, as in the Roman state. Dionysius Halicarnassensis || remarks, “that those laws which Romulus enacted to inspire children with piety and reverence towards their parents, and to oblige them to honour and to obey their fathers in all things, both words and actions, are much superior to the Grecian laws; for the Greek legislators limited a very short time for the son to be under the government of his father; some, until the expiration of the third year after he was arrived to manhood; others, as long as he continued unmarried; and some, till their names were registered in the colleges of magistrates; as they had learned from the laws of Solon, Pittacus, and Charondas, in which there is acknowledged to be great wisdom. The punish-

† Vita est illis semper in fugâ: uxoresque mercenariæ conductæ ad tempus ex pacto; ut sit species matrimonii, dotis nomine futura conjunx has tam & tabernaculum offert marito, post statum diem si id elegerit, discessura: & incredibile est quo ardore apud eos in Venerem uterque solvatur sexus. Ita autem quoad vixerint late palantur, ut alibi mulier nubat, in loco pariat alio, liberosque procul educat, nulla copiâ quiescendi permissâ.—Amm. Marc. l. xiv. cap. 5. Descr. Saracenor.

Omnes enim sine sedibus fixis, absque lare vel lege aut ritu stabili dispalantur, semper fugientium similes, cum carpentis in quibus habitant: ubi conjuges tetra illis vestimenta contexunt, & coeunt cum maritis, & pariunt, & ad usque pubertatem nutriunt pueros. Nullusque apud eos interrogatus, respondere unde oritur potest, alibi conceptus, natusque procul, & longius educatus. — Ammian. Marc. l. xiv. c. v. Descript. Hunn. & Alanor.

|| Dionys. Halicarn. l. ii. Spelman's Translation.

ments,

ments, also, which they ordained for disobedience in children were not grievous—allowing their fathers to turn them out of doors, and to disinherit them, but no farther. Whereas gentle punishments are not sufficient to restrain the folly and insolence of youth, or to restore those, who despise their duty, to a sense of it; for which reason, among the Greeks, great indecencies are committed by children against their parents.”

To these observations of Dionysius we may add, that even in the Spartan republic, wherein * obedience was so carefully inculcated, and made a principle of government, no great use was made of paternal authority. Fathers had there, indeed, a degree of power over children; but this power was common to all fathers over all children, whether their own or not, and was probably exercised more in the light of general inspectors of the education of youth, than in a private † paternal capacity. Every child, at Sparta, whether male or female, was accounted to be the property of the state; their education was public, and in a settled manner; nor was it in the power of the parents to alter it even in the most minute article. Some of the most ‡ respectable persons

* Every one knows, says Xenophon, that the Spartans are first instructed to obey the magistrates and the laws.—On the Lacedæmonian Republic.

† “In this respect he judged differently from most others. For, in other states, every individual is master of his own children, servants, and possessions. But Lycurgus—who was desirous to bring it about that the citizens, without injuring any one, should enjoy all their advantages in common—ordained that every father should have a command, not over his own children only, but of those of others also.”—Xenophon on the Lacedæmonian Republic, ch. vi. § 1.

‡ “Lycurgus, considering that people often set slaves over children as their governors and tutors, chose rather to elect a man for their preceptor who had passed the principal magistracies in the state. To this person, from his employment, they gave the title of governor of the youth. To him was intrusted the power of assembling the youth, and of punishing them severely, if any one, on strict examination, appeared to deserve it. He had, as an attendant, one of the young men, who carried the rods, that he might have the instruments of punishment

sons in the state superintended the education of the youth, directed their actions and conduct, and punished them at their discretion; consequently, there was little room for domestic discipline or authority.

It is not, perhaps, very difficult to account, in a good measure at least, for the influence of an agricultural life in extending paternal authority. People, who follow this way of life, are obliged to live, in a good measure, separate and detached from others, and consequently less exposed to the contagion of a turbulent, factious spirit. The children are bred up with their parents from their birth; they are always in their sight, are their assistants and servants in the business, and accustomed to obedience and a habit of industry from their early youth. Their father is the first, and perhaps the only person they are taught to respect; and this attachment does not abate as they grow up, but rather increases with their strength and ability to become serviceable.

S E C T. III. *Influence of an agricultural way of life upon the intellects.*

I am inclined to think that a life of this kind is more favourable to the improvement of the understanding in general, especially in useful knowledge, than either of the foregoing.

First, it is an advance towards civilisation and improvement of manners; circumstances always favourable to science, at least when carried to a certain degree only.

Next, agriculture itself requires some study and attention of mind, at least of those who carry it on with a view to its improvement—which is always the case with many persons, where it

is in readiness when it was necessary to employ them. From hence it comes, that the Spartan youth are endued with great modesty and respectfulness of behaviour; and, at the same time, a sense of obedience and due subordination." — Xenophon on the Lacedæm. Republic. chap. ii. § 6.

is managed by the higher ranks of people—and of consequence tends to introduce a habit of reasoning and reflection *, joined with experiment and observation.

Next, a life of agriculture, although a constant employment, is favourable to knowledge, and exertion of the faculties, from the very habit of industry which it tends to introduce. Idleness is no friend to knowledge; and, whatever speculative moralists may have said of the connection between science and leisure, it is certain that our best information, in almost every branch of knowledge, has been received from those who have had their time the most occupied.

A life of agriculture is also, I think, favourable, in a national view, to the mental faculties, by affording a subject for their employment to every rank of people. In the other states of life there was little that occurred, in the usual course, to stimulate curiosity and to promote enquiry; but in this, where an object is presented that is a constant subject of attention, and at the same time susceptible of great variety, and capable of much improvement, the mind thus urged, and naturally active, presses forward, and calls the faculties into action.

This way of life is also, in my opinion, more favourable to the powers of the understanding than the former, as it is more stationary, and attached to a fixed place or situation; a circumstance certainly better adapted to the advancement of knowledge, than the wandering and transitory life of a hunter or a shepherd.

In confirmation of these arguments, we may observe, that those countries where agriculture was much encouraged, generally made great progress in the useful ‡ arts. The buildings at Rome, which
were

* Mr. Hume remarks of agriculture, that it is a profession, which, of all mechanical employments, requires the most reflection and experience. — Hume's Hist. of England, ch. xxxv.

‡ It is a true observation, says Xenophon, that agriculture is the nursing-mother of the arts. For where agriculture succeeds prosperously, there the arts thrive; but

were erected in the early days of that people, even when under a regal government, and which still remain the admiration of posterity, evidently demonstrate that the practical arts of that kind were arrived at a high degree of perfection.

Their progress in military knowledge was no less remarkable. In this indeed they had great experience, as they were almost constantly engaged in war; but it was not in military resolution and courage only that they excelled. They struck the ‡ Grecian invader, at an early period of their history, with the regularity of their encampments, and the excellence of their discipline and arms, in all of which they soon arrived to such a pitch of perfection, as far to surpass || those from whom their knowledge was derived.

But although this stage of civilisation be favourable to the exertions of the mind and understanding, in the promotion of useful knowledge, or such as is accommodated to supply the wants or necessities of mankind, I doubt whether it be adapted to the increase of elegant or ornamental accomplishment, or the efforts of fancy and genius.

Some of these, particularly the talents for oratory and poetry, have been observed to prevail in great force, in the rudest situa-

but where the earth necessarily lies uncultivated, there the other arts, relative both to land and sea, are destroyed.—Oeconom. ch. v. § 17.

Strabo mentions, that when the nations of Gaul had betaken themselves to agriculture, they soon surpassed the people of Marseilles in the arts of life.—Strabon. lib. iv.

‡ Pyrrhus advanced, and encamped in the plain between the cities of Pandosia and Heraclea, and having notice that the Romans were near, and lay on the other side of the river Siris, he rode up to take a view of them; and seeing the order, the appointment of the watches, the excellent form, and, in a word, the whole scheme of their encampment, he was amazed, and, calling to one of his friends next to him, "This order," says he, "Megacles, of a barbarous nation, is not at all barbarous; we shall soon see what they can do:" and, growing a little more doubtful of the event, resolved to expect the arrival of the confederates.—Plutarch's Life of Pyrrhus.

|| See Polyb. book xvii. Ext. 3.

tions of mankind; and although the next stage, of which we have treated in the last chapter, appeared at one period highly adverse to literature, and the improvement of the mental powers, yet this violence soon abated, and a degree of taste for some of the polite arts appeared again, in the very days of the * same people that contributed so much to their destruction. But a people, whose disposition leads to agriculture, have, I apprehend, little taste for entertainments of the more elegant kind. The Romans shewed scarcely any marks of poetical genius for many ages after the foundation of the city, and, perhaps, would never have attempted that species of writing, had it not been for their intercourse with Greece.

China and India, though highly polished, have produced neither poets nor orators of much consideration; and the like is, I believe, true of Egypt. Greece, on the contrary, even at a period when civilisation and arts were at a low ebb, exhibited many marks of genius in this way.

Nor is the reason of this difference hard to be conceived. A people who were engaged in a constant employment, such as agriculture afforded, had no leisure for abstract speculation, or the indulgence of fancy and invention, on subjects which promised no immediate use or advantage to society.

The habit, also, of a domestic life, such as agriculture induced, together with the local nature of the employment, were not favourable to interchange of sentiment and general information, nor to the disposition, character, and knowledge of mankind: for the acquisition of which a larger and more varied scene of society is requisite.

I am likewise apt to think, that a life of agriculture is rather unfavourable to taste and refinement, from the tense and firm fibre

* Attila the Hunn had constantly poets in waiting, and their verses in honour of his exploits were part of the entertainment of his court. The Arabs, almost immediately after they had destroyed most of the monuments of literature, set themselves on their restoration.

which

which a habit of labour naturally produces. This, however well suited it may be to the common business of life, is inconsistent with the delicacy † of sensation, and quickness of apprehension, which are necessary to form an elegant taste and relish for works of genius, and poetical or lively invention, and even for that accurate and discriminating observation, which is so characteristic of sensibility of feeling joined with exquisite judgment.

It is found, even by anatomical observation, that a certain tone of fibre, which to us bears the appearance of laxity, is necessary for nicety of sensation and apprehension. This is inconsistent with a habit of great muscular exertion: which probably, by the strong and repeated impulses it occasions upon the nerves, renders them insensible to slight irritations, and has also, as we find by experience, the power of inducing a great degree of callosity, or approach towards ossification, on the muscular fibres themselves.

This I take to be one reason of the insensibility of the people in northern latitudes, in comparison with those of warmer climates. The habit of labour, and exertion of the bodily powers, which is customary and necessary there, co-operates with the climate in inducing a greater degree of insensibility upon the more delicate organs.

The same cause probably operates in inducing a difference of a similar kind between the higher and lower ranks of people, the latter of whom appear to be inferior to the other in this respect, not only from difference of education, but also from natural causes.

† The truth of this observation appears notoriously exemplified in the difference of character between the modern Italians, and their predecessors, the ancient Romans; the former of whom excel the latter in sensibility, refinement, and taste for the delicate, yet frivolous accomplishments, as much as they fall short of them in the superior qualities of fortitude, patriotism, and the love of liberty. This change is probably owing to the difference of the way of life; and it is observable, that the Romans themselves, when agriculture came to be disregarded, soon acquired a taste for elegance and the fine arts, not very different from the modern Italians.

S E C T. IV. *Effects of a life of agriculture upon the laws.*

I shall speak first with respect to the law of nations.

The advance towards civilisation, introduced by agriculture, and possibly the nature of the employment itself, causes a great attention to be paid to the law of nations.

This was, or at least pretended to be, carried to a great height among the † Romans, who made it a considerable instrument of their glory and influence. No war was commenced by them, unless the justice of it had been previously examined by the Feciales || or Herald; and no act of hostility was committed, unless a public and previous declaration of war had been made. Nay, to such a length was their nicety carried, that it was esteemed a breach of the law of nations for any one to commit acts of hostility, even in time of war, except one in the military profession *, and who had taken the

† To good men, said Camillus, there are laws even in war itself; and victory is not to be so greedily hunted after as not to avoid the reproach of having gained it by base and unworthy actions. For it becomes a great general to rely on his own virtue, and not on the deceit and treachery of others.—Plutarch's Life of Camillus.

Sunt et bella sicut pacis jura, justeque non minus quam fortiter didicimus gerere.—Livii, l. v. cap. 27.

Atque in republica maxime conservanda sunt jura belli.—Cicero de Officiis.

|| See Dionys. Halicarn. b. ii.—Livii, l. i. ch. 24, 32.

* Popillius imperator tenebat provinciam in cujus exercitu Catonis filius tiro militabat. Cum autem Popillio videretur unam dimittere legionem, Catonis quoque filium qui in eadem legione militabat, dimisit. Sed cum amore pugnandi in exercitu remansisset, Cato ad Popilium scripsit, ut si eum pateretur in exercitu remanere, secundo eum obligaret militiæ sacramento, quia priore amisso, jure cum hostibus pugnare non poterat. Adeo summa erat observatio in bello movendo. Marci quidem Catonis senis epistola est ad Marcum filium, in qua scripsit se audisse eum missum factum esse a consule, cum in Macedonia Persico bello miles esset: monet igitur ut caveat ne proelium ineat; negat enim jus esse qui miles non sit, pugnare cum hoste.—Cicero de Offic. lib. i. c. 11.

Livy says, that Quintus Fabius was impeached by Caius Marcius the tribune, for haying

the sacramentum, or military oath. The same people also professed to be remarkably tenacious of their faith and promise, even to an enemy. Thus Regulus † returned back from Rome to Carthage; and the Romans, who were dispatched by Hannibal, after the battle of Cannæ, to Rome, to treat of the exchange of prisoners, were all sent back by the senate.

I am moreover inclined to believe, that the laws of war are more mild and humane among a people that practise agriculture, than one of the former description. The ancient Romans were very gentle in the treatment of the nations which they subdued, incorporating them with their own people, and giving them the same ‡ privileges. Indeed, the maxims of this kind, which were publicly professed and recommended, even in the later times of the republic, were || humane and generous.

Savages and barbarians, on the contrary, are, as has been before remarked, very cruel in the treatment of those whom they conquer; and even the Greeks were far from mild on similar occasions.

having committed hostilities against the Gauls, to whom he was sent ambassador.—Livii, l. v. cap. 36. lib. vi. cap. 1.—See also Plutarch's Life of Camillus.

Craſſus's expedition against the Parthians was also execrated, and held impious, by the Feciales.—Plutarch's Life of Craſſus.

† See many other instances of this kind in Cicero de Officiis, lib. i. ch. 2. et lib. iii. c. 29, 30, 31, 32.

‡ Dionys. Halicarn. l. i.

|| Quare suscipienda quidem bella sunt, ob eam causam ut sine injuria in pace vivatur: parta autem victoria conservandi sunt ei qui non crudeles in bello, non immanes fuerunt; ut majores nostri, Tusculanos, Æquos, Volscos, Sabinos, Hernicos, in civitatem etiam acceperunt.

Meâ quidem sententiâ paci, quæ nihil habitura sit infidiarum semper est consulendum. In quo si mihi esset obtemperatum etsi non optimam at aliquam rempublicam, quæ nunc nulla est, haberemus. Et cum iis quos vi deviceris consulendum est, tum ii qui armis positis ad imperatorum fidem confugient, quamvis murum aries percusserit, recipiendi sunt: in quo tantoperè apud nostros justitia culta est, ut ii qui civitates aut nationes devictas bello in fidem recepissent, earum patroni essent more majorum.—Cicero de Offic. l. i.

The

The polite Athenians * ordered the crews of two gallies they had taken to be thrown down a precipice, or overboard, into the sea, and resolved, in full assembly, to cut off the right hands of all the prisoners they should take.

In retaliation of this cruelty, the Spartans and confederates, after the battle of Ægos Potamos, put all the Athenian prisoners to death, except Adimantus †, who had opposed the first resolution.

The same ‡ Athenians also, by a public decree, voted to destroy all the people of Scione that were above the age of puberty, and to murder all the inhabitants, without exception, of Melos, and the city of Mitylene.

The people of || Corcyra, upon taking Epidamnum, put all the prisoners, except the Corinthians, to death.

The Romans, indeed, in some instances, shewed a great degree of severity towards those whom they conquered, as in the instances of Carthage, Numantia, Corinth, and some other places.

But even in these instances, though they destroyed the cities, they did not murder the inhabitants; and the destruction of the cities was more upon a political § principle, than to gratify revenge.

It is not, I think, difficult to account for this difference of treatment in the several states of life above described. Savages, who subsist by hunting, cannot admit of any great addition to their

* Diodorus says, that the Athenians were eminent for humanity above the rest of the Greeks.—Diod. l. iv.

† Xenophont. Hist. lib. ii.

‡ Diodor. Sicul. lib. xii.—Thucyd. lib. iii.

|| Thucyd. lib. i.

§ Cicero says that they destroyed Corinth on a political account, because of its situation.—De Officiis, lib. i. § 2.

Polybius gives several instances of the humanity of the Romans to those whom they had conquered, particularly the people of New Carthage.—Book x. Extr. 2.—Dionysius Halicarnass. makes the same remark.

number, as their means of subsistence must diminish in proportion; and this not only from the greater consumption occasioned by numbers, but also from the withdrawing of the game from places, as they become more frequented.

People, also, that live by pasturage, are limited in their numbers, as the ground and country will maintain a certain proportion only. All, therefore, that exceed this number, must be an incumbrance, and even dangerous. No wonder then, that people in these states did not choose to be burdened with a great number of prisoners.

But in agricultural societies the case is very different. Every new accession of people, at least to a certain number, is an addition of riches, and even contributes to provide the means of support, more than proportionably to the increase of consumption. It is not, then, extraordinary, that the Romans, who could, from their application to agriculture, easily maintain the additional numbers, should receive them into their society, in order to form their prisoners into the † instruments of their power and greatness.

The antient Greeks were, on the contrary, in several respects, in a situation similar to the people formerly described. The smallness of the states, the freedom of the government, and the security of property, made that country very populous; whilst their inattention to agriculture rendered them scarce able to support them.

Hence the readiness with which some of these states sent out colonies, even to numbers which to us appear incredible, when we consider the size of the mother country. The Trachinians received, at once, a colony of four thousand ‡ men from Sparta, which

† The ancient Romans, says Mr. Montesquieu, never considered the vanquished but as so many instruments for future triumphs; they made soldiers of the several people they had conquered; and the greater opposition they made, the more worthy they judged them of being incorporated into the republic.—*Grandeur and Decline of the Roman Empire*, chap. iv.

‡ Mr. Hume, in his dissertation on the populousness of ancient nations, says, ten thousand;

which by no means abounded in numbers of people, at least of freemen, who alone, we may presume, were admitted into the number.

When Timoleon had driven Dionysius from Syracuse, he found that the neighbourhood was much depopulated by tyranny, war, and faction; and accordingly invited over from Greece some new inhabitants to repeople it. In consequence of this invitation, fifty || thousand men were sent over, and settled there. It is highly probable, that if these people could have been maintained properly at home, they would scarcely have made such emigrations, especially as they appear to have been made with the consent of the parent states. Perhaps this difficulty of maintaining their people was one reason why the antient Greeks had but little local attachment.

The penal or criminal law of the country is also, I apprehend, influenced by this way of life.

The advance towards civilisation causes the objects of the law to be better understood and pursued, and the laws themselves to be better respected and obeyed. Crimes here begin to be considered as public offences, and not merely as private injuries to individuals.

The general character of the penal laws, in a state of this kind, is, I believe, mild and gentle, and * capital punishment is rarely in-

thousand; but Diodorus speaks of only six thousand in the whole; and of these four thousand only were sent by Sparta, and part of these were collected from the rest of Peloponnesus. Thucydides mentions the fact of the emigration, but does not specify the numbers. Diodorus, indeed, says, that they, in process of time, increased Trachin or Heraclea to such a size as to contain ten thousand people, but never says the Spartans sent so many.—Diodor. Sicul. b. xii.—Thucydid. b. iii.

|| Mr. Hume says forty thousand; but Diodorus says that forty thousand settled in the territory of Syracuse, and ten thousand in that of Argyrum. Plutarch says, sixty thousand were sent from Greece, and settled in Sicily.—Life of Timoleon.

* A people of proprietors, says Mr. Helvetius, may be governed by gentle laws; confiscations of property, partial or total, are there sufficient to suppress crimes.—Helvetius on Man.

dicted.

fllicted. Mankind, in a country wherein this way of life is pursued, seldom multiply beyond what the country can maintain; and in general, the more they increase the better they can be supported. Hence every individual is of value to society, and of consequence the laws are tender of his preservation. This affords one reason why the antient Roman laws were so scrupulous in inflicting the punishment † of death. Nay, even in the political disturbances at Rome, during the early periods, very little blood was spilt by the ‡ executioner, though the contests were very hot and frequent. Succeeding times, indeed, made ample amends for this forbearance of their ancestors, when Marius and Sylla, and afterwards the triumvirs, were let loose upon the state. But at that period corruption had overturned the constitution; and it is probable, as Mr. Hume ||, with great ingenuity, remarks, that the mildness of the original laws was in a great measure the cause of the succeeding cruelties. All capital punishments being abolished by law, however criminal and dangerous any citizen might be, he could not regularly be punished any otherwise than by banishment: it therefore became necessary, in the revolutions of party, to draw the sword of private vengeance; nor was it easy, when laws were once violated, to set bounds to these sanguinary proceedings. Had there been a legal method of reaching their enemies, it is probable that each party would have had recourse to it, on account of the pretence it would afford. The proceeding and trials would then have been public, which is no small check on the improper exercise of judicial authority; and the delay necessary upon such occasions would, by suffering the passions to cool, have preserved the

† The Valerian law gave an appeal to the people in criminal cases, and the Porcian law forbade the putting a citizen to death in any case whatsoever.

‡ The first blood that was spilt at Rome, in any public disturbance, was in the sedition of the Gracchi, in the six hundred and thirty-first year from the building of the city, and in the three hundred and eighty-sixth year of the commonwealth.

|| Essay ix.

lives of many who were not particularly obnoxious to the heads of the party. But when a loose was given to private revenge, and the execution was sudden, and without trial or examination, all pretences became sufficient, and numbers were destroyed, not as enemies to the party, but from motives of *avarice, lust, and the most detestable passions. Thus, as Mr. Hume observes, one extreme produces another. In the same manner as severity in the laws is apt to beget great relaxation in their execution, so their excessive lenity naturally produces cruelty and barbarity. It is dangerous to force us, in any case, to pass their sacred boundaries. The character of the people, however, must be taken from the laws themselves, not from the irregular proceedings above mentioned.

Some of the penal laws of Rome had a particular reference to an agricultural way of life. Thus the law † of Numa, as well as that of ‡ Moses, denounced a very heavy penalty on the removal of boundaries or land-marks; and the law of the twelve tables was particularly severe on injuries done to the subjects of || agriculture.

Theft is a crime we might, at first sight, expect would be severely punished in this state of society, when the rights of pro-

* Uti quisque domum aut villam, postremo aut vas, aut vestimentum alicujus concussiverat, dabat operam, ut is in proscriptorum numero esset.—Sallust. Bell. Catil. Orat. Cæsaris.

† Quei terminom exarassit ipse et boves sacri sunt.—Lex Numæ de Terminis.—See also Plutarch's Life of Numa.

‡ Deuteronomy xxvii. 17.

|| Qui alienas ædes frumentive acervum, juxta positum, sciens dolo malo ussit, ussiveritve, prætoris arbitrato vinctus, verberatusve igne necator. Ast si imprudens ensi dolo malo damnum dederit, noxiam sarcito aut prætoris arbitrato virgis cæsus pœnam luit.—Law of the Twelve Tables from Dionysius Halicarnassensis, No. 15, de Jure privato.

Qui noctu frugem aratro quæsitam furtim paverit, secuerit, si puber sit Cereri sacer esto. Impuber prætoris arbitrato verberatus noxiam duplione sarcito.—Ibidem, No. 17.

perty came to be defined and ascertained. But this was by no means the case. A simple theft, unaccompanied with violence, was punished, by the laws of the twelve tables, with restitution of double * the value only. The Jewish law punished this offence in a similar manner, saving that the penalty was rather more severe, that being in some cases † four times, and in others five, of the value of the thing stolen.

The cause of this mildness I apprehend to have arisen from the nature of property in such a state of society; which must necessarily be, in a good measure, of a bulky kind, which could neither be carried away in any large quantity, nor easily escape detection, especially as the two nations above mentioned had no foreign commerce or communication, whereby robbers might dispose of the fruits of their villanies to foreigners.

This crime, therefore, being nearly sufficiently guarded against by these circumstances, there was no necessity to endeavour to prevent its being perpetrated by any extraordinary severity of the laws. Another crime, however, of the deepest dye, which was lightly passed over, or at least regarded only as a private offence, in the former states of society, in this is severely and justly censured; I mean murder. This was punished with death in the early ages of the Roman ‡ state, and was also animadverted upon with equal severity among the Jews, in the oldest || law of which we have any account, and which proceeded immediately from the mouth of the Almighty. The value of each individual in this state of society

* Si adorat furtum quod nec manifestum est duplionem luito.—De Furtis, No. 16.
—Vide etiam Caton. de Re Rustic. in Proemio.

Dionysius Halicarn. mentions it as an instance of the tyranny of Romulus, that he ordered some persons convicted of robbery to be put to death, lib. ii.

† Exodus xxii.

‡ Tullus Hostilius appointed judges, who condemned Horatius to death for the murder of his sister.—Livii, lib. i.

|| Whoso sheddeth man's blood, by man shall his blood be shed.—Genesis ix.

(of which I have before spoken) may be regarded as one cause of the attention of the law to the punishment of this crime.

What mode of trial, especially in criminal cases, is most natural to this way of life, is difficult to determine. The oldest account we have of a trial for a capital offence, in the Roman state, is that of Horatius, for the murder of his sister, in the time of Tullus Hostilius, the third king of Rome.

Livy * tells us, that he was tried by judges appointed for that purpose, but with a liberty of appeal to the people.

The consul Brutus, indeed, at a subsequent, though early, period, appears to have condemned his sons himself; but in this case there was no denial of the fact, nor appeal to the people; and consequently no † trial was necessary. This privilege of appeal, or, indeed, of being judged by the people, was confirmed by the law of the twelve tables, which ordained that these trials should be only in the great assemblies of the people, or ‡ comitia centuriata; in which way, Livy || tells us, that Manlius Capitolinus was tried and condemned.

I cannot, nevertheless, be of opinion, that a trial by the people at large is accommodated to this way of life, except where the territory is of very small extent, as was the case with Rome in the

* Livii, lib. i. § 27.—Dionys. Halic. says, that he was tried in the first instance by the people.

† Dionysius Halicarnassensis says, that neither of the sons of the consul dared to have recourse to an impudent denial of the fact, but both stood self-condemned. Livy also mentions their being condemned and executed, but says nothing of a trial. Plutarch also, in the life of Valerius Poplicola says, that the sons of Brutus did not deny the fact, and were, in consequence, executed forthwith.

‡ De capite civis, nisi per maximum comitiatum ne ferunto.—This meant the comitia by centuries, as we are told by Cicero de Legibus, et pro Sestio.

|| In Campo Martio, quum centuriatim populus citaretur.—Livii, lib. vi.

Coriolanus was, however, tried by the Comitia Tributa, according to Plutarch and Dionysius Halicarnassensis. Livy says he was not tried at all, but condemned in his absence.—Plutarch's Life of Coriolanus.—Dionys. Halic. b. vii.—Livii, l. ii.

infancy

infancy of the republic; since the people are necessarily dispersed through the country, and difficult to be collected so often as would be necessary, considering the frequency of such occasions.

A delegation of the power of the whole to a select body, like our juries, and the judices among the Romans, appears to be the most obvious method, and most likely to be practised. Indeed, the *Comitia Centuriata* at Rome, although they were termed the great assemblies of the people, were seldom attended by great numbers, and those who voted at them were mostly of considerable rank, or, at least, property: so that their decisions might be esteemed the determinations of the principal persons only, and not of the people at large.

Whether any punishments are peculiar to this way of life I cannot say. Some of those in use among the ancient Romans were very cruel, but the genius of the nation appeared to favour humanity, if we may judge from the sentiments of their historians * and philosophers, and, indeed, from their own practice. The law of the Jews †, also, was humane in this respect, and averse to giving
more

* Several of the laws of the twelve tables contained the punishment of fire, and many that of death. One of the oldest of their punishments, if we may judge from the name (*more majorum*) was to fasten the head of the malefactor within the *furca*, and in that attitude whip him to death.—*Livii, lib. i.—et Sueton. Vita Neronis.*

Mettius Tullius, the Alban general, was torn in pieces by chariots, to which he was tied, running different ways. On this *Livy* makes the following remark:—*Primum ultimumque illud supplicium exempli parum memoris legum humanarum fuit; in aliis gloriari licet, nulli gentium mitiores placuisse poenas.*—*Livii, lib. i. cap. 28.*

It must, however, be observed, that several of the cruel laws of the twelve tables, were produced by the tyranny of the Decemvirate, and were contrary to a republican spirit. They were all abolished in the four hundred and fifty-fourth year of the city, by the *Porcian law*; which enacted, that no citizen should be put to death: a law which the younger *Cato*, in his speech on the *Catilinarian conspiracy*, did not think himself bound to regard.—*Sallust. Bell. Catilin.*

† The Jews used to give to malefactors, at their execution, a cup of wine mingled with myrrh, in order to dull the sensation of pain. Hence the expression in the New Testament,

more pain than necessarily accompanies the privation of life. This humanity, however, may perhaps be ascribed as much to the greater civilisation of these nations, as to any particular influence of agriculture.

The effects of this mode of living upon the civil law are in some instances discernible. It is well observed by Mr. * Montesquieu, that in proportion as men approach to civilisation, their code of laws is of a larger extent. Hence the laws are more numerous in an agricultural state, than among a people that subsists by hunting or by pasturage.

The laws that establish paternal authority, before alluded to, appear to have a peculiar connection with this way of life; and, I apprehend, that the law which establishes the majority, or coming to age, of the son, not to commence until twenty-five years of age, is of the same kind, especially as it was a particular advantage to the father to retain the son long in his family, on account of the domestic service he might yield in agriculture.

In countries where the children are burdens for their maintenance, the time of coming to age is earlier, as among the Tartars, and even in many highly-civilised countries, particularly modern Italy.

From a similar idea of the advantage of population in a state of this kind, arose the law which gave such exemptions and privileges to the parents of three children; which regulation was in force in the Roman state.

The Agrarian laws, among the same people, were also, as I take it, connected with this way of life, in some measure, as well as with a republican form of government. In order to render the

Testament, "Let this cup pass from me;" which is there taken metaphorically, to signify the punishment or pain of death itself.—The same custom is in use in China, where torture and painful deaths are very rarely practised.—Du Halde, vol. ii. p. 160.

* Sp. of Laws, b. xviii. ch. 8.

profession of agriculture respectable, it is necessary that it should be practised by the principal persons in the state; which can never happen, unless there be in some measure an equality of possession. Probably it was with this view, among others, that Romulus made an equal division of the lands among the citizens; and hence arose the idea of Manius Curius, that no portion of land should be esteemed small, that was sufficient to maintain a man. From the same idea of preserving an equality among the possessions, arose the law for dividing the inheritance equally * among all the children, which was inserted into the laws of the twelve tables, and in later times into the † institutes of Justinian. This, however, like our statute of distributions, only took place when no disposition by will had been made by the ‡ father of the family.

For a similar reason, probably, it was ordained by the Jewish law, that every fiftieth year, which was the year of jubilee, all the land estates, which were sold, should revert to the former possessors, or their heirs: which was well calculated to preserve an equality of property among the people.

The law, likewise, in force among the || Romans, which considered a prodigal in the same light with one deprived of reason, was probably instituted to prevent that inequality of fortune that arises from extravagance. This, indeed, and some of the foregoing, were connected with republican principles, but coincided also with the present way of life, which is incompatible with the vices of profusion and extravagance.

* Utique filii filiaque familias bonorum sui suarumque hæredes essent.—Leg. xii. Tabular.

† Institut. lib. ii. Titul. 19.—Novell. cxviii. c. 1—22. c. 29.

‡ Paterfamilias uti legasset super pecunia tutelæ suæ rei ita jure esto.—Leg. xii. Tabular.

|| Ut qui prodigus existeret ei prætor causa cognita bonis suis interdiceret, inque ipso pecuniâ agnatorum gentilitiumque potestas esset.—Lex xii. Tabular.—Vide etiam Digest. xxvii. 10. 1.—Inst. i. 8. 2.

Some customs, likewise, are peculiar to this way of life. Thus the supper among the Romans * was the principal meal, as the dinner is at present; and this I take to be owing to the convenience of finishing the day's work before they left off: and the same custom is now in use among us, with those employed in agricultural business, and is taken nearly, in proportion to the difference of climate, about the same time with the cœna, or supper, of the old Romans.

S E C T. V. *Influence of an agricultural life upon the form of government.*

To what form of government this way of life leads most naturally, I cannot, with any precision, determine. I think, however,

* 'Dinners, or *prandia*, were not much in use among the Romans in ancient times. "In usu non erant prandia."—Servius on Virgil.

"Est autem cœna vespertinus cibus quam vespertinam antiqui dicebant, in usu enim non erant prandia."—Isidor. Etym. lib. ii. c. 20.

"Nunquid parcam illam tunc agrestemque vitam cum gemitu et dolore tolerabant, cum viles et rusticos cibos ante ipsos quibus coxerant focos sumerant, eosque ipsos capere, nisi ad vesperam, licet."—Salvian. Maffil. de Providentia et Judicio Dei, lib. i.—Celsus also appears to consider the dinner, especially in the winter season, as a matter of indifference, and to consist only of some slight thing just to stay the appetite. "Hyeme, si prandet aliquis, utilius est exiguum aliquid et ipsum ficcum sine carne, sine potionem, sumere."—Lib. i. c. 3.—Pliny also seems to regard dinner not as a set meal. "Panis deinde ficcus et sine mensa prandium, post quod non lavandæ sunt manus."

People employed in ploughing the ground generally leave off work about four in the afternoon, which is not far from the time of supper among the ancient Romans. This, afterwards, in the times of luxury, grew later, so that the hour of dinner came to be that of the ancient supper, as we are told by Festus. "Cœna apud antiquos dicebatur, quod nunc est prandium," lib. iii; and again, "Scenfas Sabini cœnas dicebant, quæ autem nunc prandia sunt cœnas habebant, et pro cœnas vespernas appellabant," lib. 17.—Cato also, Varro, and Columella, speak of the supper as the only meal in use with persons employed in agriculture.

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that it is pretty clear, that in any country where agriculture is particularly encouraged, and made, as it were, an object of state, that the government, if not free, must at least be moderate, and a great regard paid to private property. This appears from the history of those nations, amongst which agriculture has been particularly regarded. Thus the ancient government of the Jews was just, mild, and equitable, and the property of the people established by laws; that of the Egyptians, it has been formerly observed, was regulated by the strictest and justest rules and ordinances; and the ancient Persian government was very circumscribed, and resembled more a domestic * than a civil establishment.

The people of the East Indies, likewise, although their government be, to appearance, despotical, live under a very mild administration; and the Chinese, although by no means free, are still protected from arbitrary invasions of property. The government of Peru, also, where agriculture seemed to be one of the great national objects, was mild and gentle: the mind there was not humbled and depressed by forced submission to the will of a superior, but a free obedience was willingly yielded to a monarch believed to be of divine original; which last circumstance continually reminded the sovereign to imitate that beneficent Power he was supposed to represent. These ideas had so great effect, that, in the whole succession of their kings, which were no less than twelve in number, they had not one tyrant; a fact unparalleled in the history of mankind. The Roman government, likewise, although liable to some objections, was undoubtedly free, in a great measure, even at its first institution, and became still more so afterwards, and especially at the time when this way of life was held in the highest estimation. The causes why a degree of freedom in the government is necessary in those states where agriculture is made a

* They think, says Xenophon, that the duties of a good king, and of a good shepherd, are alike.—Xenophont. *Cyropædia*, lib. vii.

national object, are sufficiently obvious. Cultivation of land requires constant and unremitting industry; which will never be practised universally, except where those who labour have a security for enjoying the fruits of their toil: which cannot be the case under a despotic administration, whose effect upon the mind is to render it timid, idle, servile, and corrupt. I know not, however, if any peculiar form of government is specifically adapted to this mode of life. It has flourished when united with the government of a single person, as in some parts of the East, and in South America; with an aristocratical government, as in Holland, Switzerland, and the territory of Genoa; with a democratical one, as among the Romans; and with a mixed government, as among us in England. Wherever property is safe, and no tyrannical authority exercised upon the person, there agriculture, if not particularly discouraged by other circumstances, will probably flourish.

S E C T. VI. *Influence of an agricultural life upon religion.*

The object of worship among such a people is generally a Deity that bears some reference to agriculture. The national Deities, among the old Romans, were of this kind. Thus Janus *, the most ancient of the Gods, was respected as being the inventor of the use of wine, bread-corn, flour, and sacrifices. Saturn †, likewise, was highly in request among them upon the same account.

Faunus ‡, likewise, and Pilumnus, were indigenous Deities, and both of them presided over some branches of the cultivation of

* Janus was an ancient king of Latium, and esteemed the father of the other Deities. Hence he is called Pater, and Deus Deorum.—Rosini Antiquit. p. 93.—et Fastor. Ovidii, lib. i.

† Saturn was also an ancient king of the Aborigines, or people of Latium, said to be the son of Janus. He and his father taught that people agriculture, as we are told by Macrobius.—Saturn. l. i. c. 7.

‡ Rosini Antiq. p. 181.

land. Some other deities, also, which were not, by other nations, supposed to have any connection * with agriculture, were, by the Romans, appropriated, in some measure, to this employment. Thus Jupiter, the Sun and Moon, Venus, Minerva, and Bonus Eventus, or Good Fortune, were held as agricultural deities, as well as Tellus, Ceres, Bacchus, Robigus or Flora; to which might be added, † Terminus, Segetia, and several others.

Agriculture was likewise much connected with religion, among the Jews. The Most High hath ordained husbandry, says ‡ the Son of Sirach: and many of the festivals among that people, of which I shall speak presently, had a peculiar reference to this employment. The same observation held at least equally good of the Egyptian dei-

* Et quoniam, ut aiunt, Dei facientes adjuvant, prius invocabo eos: nec ut Homerus & Ennius Musas, sed duodecim Deos consentes: neque tamen eos urbanos quorum imagines ad forum Auratæ stant, sex mares & sex foeminæ totidem, sed illos duodecim Deos qui maxime agricolarum duces sunt. Primum qui omnes fructus agriculturæ cœlo & terra continent, Jovem & Tellurem; itaque duo hi parentes magni dicuntur Jupiter, Pater; Tellus, vero mater. Secundò Solem & Lunam, quorum tempora observantur cum quædam serantur & condantur in terrâ. Tertio Cererem & Liberum, quod horum fructus maxime necessarii ad victum sunt: Ab his etiam Cibus & Potio venit e fundo. Quarto Robigum & Floram, quibus propitiis nec rubigo frumenta atque arbores corrumpit neque non tempestive florent. Itaque publicæ Robigo feriæ, Robigalia, Floræ ludi florales instituti. Item, advenor Minervam & Venerem, quarum unius procuratio oleti, alterius hortorum, quo nomine rustica vinalia instituta. Nec non etiam precor Lympham atque Bonum Eventum; quoniam sine aqua omnis arida & misera agricultura, sine successu atque Bono Eventu frustratio est, non cultura.—Varron. de Re Rusticâ, lib. i. cap. i.

Bonus Eventus is also reputed a deity of agriculture by Pliny, lib. xxxiv. cap. 8. Hist. Natur.

† Terminus Deus, quia in ejus tutela essent agrorum fines. *Festus*.—He was also, according to Ovid, accounted among the most ancient of the deities.

Termine sive Lapis, sive es desertus in agro
Stipes, ab antiquis tu quoque numen habes.

Ovidii Fastorum, lib. ii.

‡ Ecclesiasticus, vii. 15.

ties. || Osiris, the supreme among them, was regarded as the inventor of agriculture; and Isis, the second deity, as the discoverer of the use of wheat and barley, which before grew wild, and were not applied to the purposes of food.

The divine honours, also, paid to Bacchus, in India, arose from the same source, as we are told by Diodorus * Siculus and † Arrian: he being there respected as the inventor of the arts attendant upon agriculture.

The Sun, among the people of Peru ‡, and probably among the ancient Persians, owed no small share of the respect paid to him to the fertilising qualities wherewith they believed him endued.

Several religious precepts refer to this way of life.

Thus the fourth commandment, given to the Jews, implied that the people were much occupied in business of this kind; and various other precepts of the || Mosaic law are relative to agriculture.

|| Isis discovered the method of making flour from wheat and barley, which before grew wild in the fields like other plants, and their uses unknown; and Osiris found out the method of cultivation of plants in general that serve for diet.—The Grecian (or rather Sicilian) Ceres, and the Egyptian Isis, were held to be the same deity.—Diodor. Sic. lib. i.

* He first, as they report, trained oxen to the plough, and taught men to cultivate the land with their own hands; and discovered, also, many of the instruments and conveniences for agriculture, to the great ease and relief of the husbandman. On account of these signal benefits, he became so much respected, that he was, by universal consent, raised to the rank of a deity, and received divine worship and solemn sacrifices.—Diodori Sicul. lib. iii.

† Bacchus furnished the people with seed, and instructed them in the art of sowing it; whether because Triptolemus, who was sent by Ceres, did not reach that part of the country, or that Bacchus, going to the Indies before the time of Triptolemus, gave them the seeds of millet and of other fruits. Bacchus first yoked oxen to the plough, and made most of the Indian nations husbandmen, who were before in a wandering state.—Arriani Hist Indic.

‡ Robertson's America, vol. ii.

|| Levitic. xix. 9. xxiii. 10.

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The precepts of the Magian religion, among the Persians, were of a similar nature. The saint, among them, was obliged to work out his salvation, by pursuing all the labours of agriculture. It is a maxim of the Zendavesta †, that he who sows the ground with care and diligence, acquires a greater stock of religious merit, than he could have gained by the repetition of ten thousand prayers.

Ceremonies of the religious kind are very numerous among a people addicted to this way of life, and bear a particular reference to it. Thus several of the Jewish ceremonies and institutions had an especial regard to cultivation of the earth. Two of the ‡ three great feasts in the year were instituted on account of collecting the fruits of agriculture; and the ceremony of the || wave-offering, mentioned in the book of Leviticus, was evidently of the same tendency. Several of the substances, also, directed to be used in the § Jewish sacrifices, such as ears of corn, cakes of flour, and unleavened bread, were probably intended to point out the importance, and enforce the practice, of agriculture.

The ancient Persians had ceremonies of a similar intention. In the spring of every year a festival was celebrated, designed to represent the primitive equality and present connection of mankind.

† Zendavesta, t. i. 224.—and *Precis du Systeme de Zoroastre*, vol. iii.

‡ Three times thou shalt keep a feast to me in the year. Thou shalt keep the feast of unleavened bread; thou shalt eat unleavened bread seven days, as I commanded thee, in the time appointed of the month of Abib; for in it thou camest out of Egypt: and none shall appear before me empty: And the feast of harvest, the first fruits of thy labours, which thou hast sown in thy field: And the feast of ingathering, which is in the end of the year, when thou hast gathered in the labours of thy field.—Exodus, chap. xxiii.

|| Speak unto the children of Israel, and say unto them, When ye be come into the land which I give unto you, and shall reap the harvest thereof, then ye shall bring a sheaf of the first fruits of your harvest unto the priest: and he shall wave the sheaf before the Lord, to be accepted for you: on the morrow after the sabbath the priest shall wave it.—Levitic. ch. xxiii.

§ Levit. ch. ii.

The stately kings of Persia, exchanging their vain pomp for more genuine greatness, freely mingled with the humblest but most useful of their subjects. On that day the husbandmen were admitted, without distinction, to the table of the king and of his satraps. The monarch accepted their petitions, enquired into their grievances, and conversed with them upon the most equal terms. "From your labours," was he accustomed to say, "we receive our subsistence; you derive your tranquillity from our vigilance. Since, therefore, we are mutually necessary to each other, let us live together like brothers, in concord and in * love." The ancient Egyptians †, also, had several religious festivals and ceremonials in honour of agriculture and its inventors, as we are told by Diodorus, which nearly resembled those of the Jews, and were, in all probability, borrowed from them. The kings of India formerly, and the emperor of China at ‡ present, practise a religious ceremony annually, of opening the ground; and the Inca in Peru, who was reputed a deity, cultivated with his own hands a piece of land, which operation was dignified by being called, their triumph over the earth. Great numbers of ceremonies, relative to this way of life, were to be found among the Romans, as the || Cerealia, the Palitia, and several others.

* Gibbon's Decline and Fall of the Roman empire, chap. viii.

† They have a ceremonial in commemoration of the invention of bread-corn, which has been kept up from great antiquity. At the time of harvest, and of offering the first fruits, the people are accustomed to make a plaintive noise among the shocks of corn, and to call upon the goddess Isis. This they do with a view of paying honour and respect to the goddess, for the discoveries of these things which they chuse to offer at this time of year, as then these inventions were made. In some cities, when the feast of Isis is celebrated, vessels filled with wheat and barley are carried about in pomp, in memory of their use being discovered by that goddess.—Diodor. Sicul. book i.

‡ There is an annual festival in China when the sun enters the fifteenth degree of Aquarius, as the beginning of spring.—Du Halde, vol. ii. p. 82.

|| It was a precept of Numa, that no sacrifice should be performed without meal, in order to encourage agriculture.—Plutarch's Life of Numa.

Mr.

Mr. Montesquieu *, indeed, is of opinion, that religious ceremonies are naturally but few, amongst a people devoted to agriculture. But the Jews, the Egyptians, and the Persians, had a multitude of ceremonies in their religion, and yet were great encouragers of agriculture. It is true, the clergy, with them, were a separate body, but the remainder of the people were equally bound with the priests to the observance of a great number of ceremonies : at least we know that this was the case with the Jews.

The Romans, likewise, encouraged agriculture, and made it a national object, as much as any of the nations before mentioned. Yet this people had a great number of ceremonies in their religion ; and the clergy formed no distinct character or body of people among them. Livy calls Rome, expressly, a state or † city full of religious ceremonies ; and Sallust ‡ expresses himself nearly to the same purpose. The Roman writers on || husbandry every where recommend a strict observance of numerous religious duties ; and the connection between these and agriculture is strongly pointed out by § Maximus Tyrius. Ovid, likewise, Festus, Macrobius, and other writers, shew that the Roman ritual was very full and extensive. It is therefore probable, that the foregoing observation of Mr. Montesquieu should be understood to refer to the influence of this way of life on the nature, rather than the number, of religious ceremonies and observances.

The ancient festivals did not, I apprehend, all of them necessarily imply a cessation from labour, at least those among the Romans. Cato expressly specifies the ** kinds of work proper to be

* Sp. of Laws, book xxv. ch. 4.

† Civitas Plena Religionum, lib. vi. sect. 5.

‡ — quæ nostri majores religiosissimi mortales fecere.—Sall. Bell. Catalin.

|| Script. de Re Rusticâ.

§ Maxim. Tyrii, Dissert. xiv.

** Per ferias verò, fossas veteres tergeri, viam publicam muniri, vepres recidi, hortum fodiri, pratum purgari, virgas vinciri, spinas runcari cremarique, ex piscina immunditias efferri, munditias fieri.—Caton. de Re Rustic. lib. i. c. 2.

done upon them; which it may be observed are none of them works of necessity, or what required to be immediately performed. Indeed these festivals occurred so frequently, that such an injunction would have been highly inconvenient among an industrious people; and probably the poor state of cultivation, in modern Italy, is owing to the waste of time, and idle habit, induced by the multitude of festivals in the Romish religion. We are, however, told by * Cicero and Macrobius, that the Roman *Feriae* implied a cessation from labour, as well as from the civil proceedings; but perhaps this might relate to the city only, else it could scarcely be imagined that Cato would have recommended an infringement of the laws. Varro allows, that works of necessity, or of great public utility, caused no pollution; and perhaps works of agriculture might be thought to come within the latter description. This idea seems to be confirmed by a law made in a subsequent period by † Constantine the Great, which enjoined the people to rest upon the Sabbath. This is understood to have had a reference to cities only, and not to the open country. He was sensible, as ‡ Mr. Montesquieu remarks, that labour in cities was useful, but in the fields necessary. It does not appear clearly, I think, that any of the Jewish festivals, the sabbath-day excepted, were attended with the prohibition of labour; and, it is probable, they were, like the Roman, rather scenes of joy and || chearfulness, than of idleness.

* *Feriarum festorumque Dierum ratio in liberis requiemem habet litium & iurgiorum, in servis operum & laborum, quia compositio anni conferre debet & ad perfectionem operum rusticorum & ad remissionem animorum.* — Cicero. de Legibus. lib. ii.

Sacerdotes affirmabant ferias pollui quoties iis indictis conceptisque opus aliud fieret. — Macrobius. Saturnalis. lib. i.

† Codic. de Feriis, leg. iii. — This law related to the Pagans only.

‡ Sp. of Laws, b. xxiv. ch. 23.

|| *Hilaribus quibus omnia festa & fieri debere scimus & dici impletis solennibus.* — Vopiscus Divus Aurelianus.

Temples, likewise, or habitations for the Deity, I believe to be natural to this state of mankind. Thus ‡ Herodotus tells us, that the Egyptians, who cultivated agriculture from the greatest antiquity, were the first who erected altars and temples to the Gods. The people of India, likewise, had temples, as the Chinese have at present; and buildings of this kind were very numerous and magnificent in || Peru.

The first accounts we have of the * Romans inform us of the foundation of temples; and the ruins of these edifices, that yet remain in all parts of Italy, are standing monuments how favourite an idea this was with that people, even in succeeding periods. The causes of this disposition of people in this state are sufficiently obvious. Agriculture requires people to have fixed and permanent habitations; and from hence naturally sprung the notion of building a house for the Deity. But this natural idea never occurred to any but such as cultivated the † land: those who had no houses of their own were never known to build temples.

Men in this state are, I apprehend, more attached to religion, and more zealous for its propagation, than in either of the foregoing situations of life. The ceremonies attendant upon religion, the building of temples, and even their riches, give an attachment to that religion to which they belong, and impart an idea of local

‡ Eutérpe.

|| Robertson's America, book vii.

* Simul cum (Romulus) dono designavit templo Jovis fines cognomenque addidit Deo. "Jupiter Feretri, inquit, hæc tibi victor Romulus rex regia arma fero templumque iis regionibus quas modo animo metatus sum dedico: sedem opimis spoliis quæ regibus ducibusque hostium cæsis me auctorem sequentes posterius ferent." Hæc templi est origo quod primum omnium Romæ sacratum est, ita deinde Diis visum nec irritam conditoris templi vocem esse qua laturus eo spolia posteros nuncupavit nec multitudine compotum ejus dono vulgari laudem.—Livii, lib. i. § 10.—See too Dionys. Halicarnass. b. ii. ch. 34.—The temple here alluded to was repaired by Augustus Cæsar.—Corn. Nepos. Life of Atticus.

† Sp. of Laws, b. xxv. ch. 3.

regard, which is generally extremely potent in matters of this kind. The Romans, who understood perfectly the use of all political instruments, made great advantage of this circumstance of local regard, among others, in order to attach their people to their religion; and the effect was such, that scarcely any nations mentioned in history paid greater † veneration to the objects of local worship. || Romulus himself

† *Operæ pretium est cum domos atque villas in urbium modum exædificatas videre templa deorum quæ nostri majores religiosissimi mortales fecere. Verum illi delubra deorum pietate, domos suas gloria decorabant.*—Sallust. Bell. Catilinar.

Such a respect, says Plutarch, had the Romans for religion, making all their affairs depend solely on the pleasure of the Gods, never suffering, no not in their greatest prosperity, the least neglect or contempt of their ancient rites or oracles; being fully persuaded that it was of much greater importance to the public welfare, that their magistrates and generals should reverence and obey the Gods, than if they conquered or subdued their enemies.—Plutarch's Life of Marcellus.

|| After Romulus therefore had, upon that occasion, received the sanction of Heaven, he called the people together, and, having given them an account of the auspicious omens, he was chosen king by them; and instituted this custom to be observed by all his successors, that none of them should accept the dignity of king, or any other magistracy, until even the Gods had given a sign of their approbation. And this custom, relating to the auspices, continued to be long observed by the Romans, not only under their kings, but also after the dissolution of monarchy, in the elections of their consuls, prætors, and other legal magistrates; but it is disused at this time, the appearance of it only being preserved, for form sake.—By which means (viz. the disuse of the auspices) many armies of the Romans have been utterly destroyed at land; many fleets have been lost, with all their people, at sea; and other great and dreadful calamities have befallen the commonwealth, some in foreign wars, and others in civil dissensions; but the most remarkable, and the greatest, happened even in my time, when Licinius Crassus, a man inferior to no commander of his age, led his army against the Parthians, contrary to the will of Heaven, and in contempt of the innumerable omens that opposed his expedition. But much might be said concerning the contempt of the Gods, which prevails among some people at this time.—Dionys. Halicarnass. book ii. ch. 6.

I admire, therefore, these institutions of the man; and those also which I am going to relate. He was persuaded that the good government of cities was owing to these causes, which all politicians boast, but few establish. First, the favour of the Gods, the enjoyment of which gives success to every enterprise; next, temperance and justice, by which the citizens, being less disposed to injure one another, are more inclinable

himself declined the acceptance of the regal office, before he had obtained the sanction of the Gods; and none of the succeeding magistrates ever entered upon their functions without the approbation of the Auspices; the disuse of which, and the contempt of the Gods which accompanied it, are esteemed by their own historians as the great causes of their misfortunes and downfall. The same wise legislator paid, in every other instance, the highest regard to religion; which, according to the system adopted by him, was much more rational, both in its doctrines and fable, than the Grecian mythology, from which it was derived, and of consequence more likely to conciliate a permanent and steady regard. The Jews also, the * Egyptians, the † Indians, ‡ Chinese, and || Peruvians, who were all agricultural nations, were all extremely attached to their religion.

inclinable to unanimity, and make virtue, not shameful pleasures, the object of their happiness; and lastly, military courage, which renders even the other virtues useful to their possessors. He was sensible that none of these advantages are the effects of chance; but that good laws, and the emulation of worthy pursuits, render a commonwealth pious, just, temperate, and warlike. He took great care, therefore, to encourage these, beginning with the worship both of the Gods and Genii; and, according to the most approved rites in use among the Greeks, he appointed temples, places consecrated, altars, the erecting of images, the representations and symbols of the Gods, and declared their power; the beneficent presents they made to mankind; the particular holidays appropriated to each God or Genius; the sacrifices which are most acceptable to them; the festivals, public games, and days of rest, and every thing of that nature: but he rejected all such traditional fables, concerning the Gods, as are mixed with blasphemies or calumnies, looking upon them as wicked, useless, and indecent, and unworthy not only of the Gods, but even of good men; and accustomed his people to think and to speak concerning the Gods with the greatest reverence, and to attribute no passions to them unbecoming their happy nature.—Dionys. Halic. book ii. ch. 18.

* Diodor Sicul. l. i.

† No person, it is said, was ever known to be converted from the Indian or Gentoo religion.

‡ The emperor of China, although absolute in every other instance, pretends to no power over the religion of the country.

|| Robertson's America.

CHAP. IV.

ON THE EFFECTS OF A COMMERCIAL LIFE UPON
MANKIND.

THUS far I have spoken on the effects of an agricultural way of life, which I have considered as being the object of the government, and turn of the people, and what prevailed generally through the state.

The next * stage of which I shall treat is that of commerce, which may in several respects be accounted a farther step towards improvement and civilisation, though some highly-polished people were of a different opinion.

S E C T. I. *Effects of a commercial life on the temper and disposition.*

One of the first and principal effects of commerce is to render people industrious. This was remarked as taking place, in a good measure, in the preceding stage, but is greatly increased in that now under consideration. In the former, it was little more than merely application to labour; but in the present one, the faculties, both of mind and body, are, of necessity, almost unremittingly employed.

* Commerce, however, must not be considered as superseding agriculture, as agriculture did a pastoral life, and that a life of hunting. On the contrary, agriculture is often, though not constantly, cultivated to the highest degree in commercial states. This was the case formerly in Egypt, and is at present in China and Holland. On the other hand, the people of Athens, and of Marseilles, were but little addicted to agriculture; and the latter were even driven to trade by the barrenness of their country, which rendered it unapt for cultivation, as we are told by Strabo.

Thus

Thus the great industry of the †† Egyptians has been celebrated from the earliest ages ; and the same observation has been made of all states engaged to any great degree in commerce.

Another quality or disposition incident, as I believe, to a trading state, is frugality. Thus Justin remarks the parsimony as well as industry of the ‡ Tyrians ; || Strabo and * Cicero give the same account of the people of Marseilles ; and Diodorus Siculus § makes a similar representation of the Carthaginians. The same qualities are at present highly remarkable, both among the Dutch and ** Chinese. It should, however, be considered, that there are two kinds of trade or commerce, one of which is founded on the mutual wants of other nations, and which is supported by carrying from one what is wanted by another. Of this kind was the trade of Tyre, Carthage, Athens, Marseilles, Florence, and Venice, in former periods ; and in our own times, that of Holland. The other kind of trade is founded upon luxury, and is calculated to procure whatever may administer to the pride, pleasure, or capricious whimsies of the people. Of this kind is the trade which Spain carries on with most nations ; that of England with France, in a good measure ; and that of all Europe with the East Indies. It is chiefly to a commerce † of the former kind that frugality is to be ascribed.

†† Diodori Sicul. lib. i.

Letter of the Emperor Adrian, preserved by Vopiscus.—This resembles much the present state of Holland.—Du Halde gives nearly the same character of the Chinese, vol. ii. p. 86.

‡ Justin, lib. xviii. cap. 4.

|| Strabon. lib. iv.

* Ciceron. Or. pro Flacco.

§ Diod. Siculi, lib. v.

** Du Halde, vol. ii. p. 63, 100.

† That œconomy in the government, which always attends the frugality of individuals, is, if I may so express myself, the soul of œconomical commerce.—Sp. of Laws, book xx. ch. 11.

Another

Another effect that commerce is, I am apt to believe, subject to produce upon the disposition, is to render those who practise it very * interested, and apt to ascribe every thing to the account of mere profit and loss, and to think that riches alone are the source of all happiness, and sole object of desire. The contrast between Rome and Carthage, in this respect, is finely remarked by Polybius. "In all things," says that judicious writer, "that regard the acquisition of wealth, the manners and customs of the Romans are far preferable to those of the Carthaginians. Among the latter, nothing is reputed infamous, that is joined with gain. But among the former, nothing is held more base than to be corrupted with gifts, or to covet an increase of wealth, by means that are unjust. For, as much as they esteem the possession of honest riches to be fair and honourable, so much, on the other hand, all those that are amassed by unlawful arts, are viewed by them with horror and reproach. The truth of this fact is seen in the following instance:—Among the Carthaginians † money is openly employed to purchase the dignities of the state; but all such proceeding is a capital crime at Rome. As the rewards, therefore, that are proposed to virtue in the two republics are so different, it cannot but happen, that the attention of the citizens to form their minds to virtuous actions must also be ‡ different."

The effects of this upon the moral character I shall consider hereafter.

Another effect of a commercial life is, I believe, though not without several restrictions and exceptions, to render the people

* We see that in countries where people move only by the spirit of commerce, they make a traffic of all the humane, of all the moral virtues; the most trifling things, those which humanity would demand, are there done or given only for money.—Sp. of Laws, b. xx. ch. 2.

† Aristotle speaks in terms nearly similar of the venality of the Carthaginians.—Lib. ii. cap. 11. De Republicâ.

‡ Polyb. b. vi. extr. 3.

timorous,

timorous, and averse to warlike enterprize. Thus the Carthaginians were greatly inferior to the Romans in military courage, and seldom, indeed, exposed themselves in engagements, but relied on * mercenary troops for their defence; the bad effects of which conduct upon the state and people are finely described by † Polybius. The people of Marfeilles are said to have been of an effeminate and timid disposition ‡, and to have depended on mercenaries || for their support. Livy **, likewise, seems to insinuate, that they were of an unwarlike turn.

A similar mode of defence appears to be at present adopted by the Dutch, whose attention, of late years, seems to have been so much taken up with increasing their national resources, and improving their commerce, that they have nearly become dependent upon others for the defence of what they have acquired. It cannot, however, be denied, that some trading states, particularly those last mentioned, have at times performed great military exploits: but most of these were nearly at the foundation of the state, at least during its freedom; and the remainder were principally achieved by the †† riches, and other military resources, which trade enabled them to furnish.

* From hence (Spain) they drew their best troops, by means of whom they brought many great and important wars to a happy conclusion: for the Carthaginians always carried on war in that manner, never employing an army collected from their own citizens, or from their allies.—Diodor. Sicul. lib. v.

† Book vi. extr. 3.—The same was done by the Tyrians.—Diodor. Sicul. lib. xvii.

‡ Athenæus Casauboni, p. 523.

|| Cæs. de Bell. Civil. lib. i. c. 18.—Cæsar says, that the Gauls were rendered effeminate and cowardly by the neighbourhood and commerce of Marfeilles, in so much that they who formerly always conquered the Germans, were now become inferior to them.—Cæs. de Bell. Gall. lib. vi. c. 10. § 24.

** Lib. xxxviii. Orat. Manlii ad Milites.

†† Diodorus Siculus says, that the Carthaginians often brought the Romans, Sicilians, and Carthaginians, into great straits and dangers, by means of the power and influence bestowed by their wealth and riches.—Diod. Sicul. lib. v.

Why this way of life should be unfavourable to courage and fortitude of mind, does not seem difficult to explain. First, although a life of commerce requires those who practise it to be industrious, yet it does not, in general, employ people in that kind of labour which tends to preserve health, or increase the force and vigour of the mind or body. Most of the arts are sedentary employments, practised in the house, or in some warm place; and consequently, tending to diminish the strength, and render the body less robust, and more subject to the action of external impressions, as heat, cold, &c. This effect upon the body influences the mind, and reduces it nearly into a similar state with that of the inhabitants of warm climates * before described.

For these reasons, † Romulus, as we are informed by Dionysius Halicarnassensis; and Lycurgus, as we are told by ‡ Xenophon and § Plutarch, would not suffer their people to exercise any mechanic arts of the sedentary kind, looking upon them as the destroyers both of the bodies and minds of those who practise them; and these trades were, on that account, for a long period, held ignominious both at Rome and at Sparta.

Another cause, as I take it, why commercial people, artificers especially, are, in general, of an unwarlike turn, is, that they are bred up in an uniform course of life, and mostly unacquainted with personal hazard of any kind; and consequently, less likely to meet it with courage, than those to whom it was familiar. It must, however, be acknowledged, that this observation is more applicable to those who prepare the materials and manufactures,

* The very close and confined air, which is also tainted with the breath of many people, as must necessarily be the case in manufactories, is apt to increase sensibility; and is, of consequence, adverse to courage and resolution of mind.— See book i. on Climate.

† Dionys. Halicarn. book ii. ch. 27.

‡ On the Spartan Republic.

§ Life of Lycurgus.

which

which serve as a subject of commerce, than to those who personally carry it on. Sailors, whose way of life exposes them to frequent dangers, are, in general, a brave set of men, in all countries; and consequently the above remark, relative to the effects of commerce, relates more to those nations who manufacture commodities, than those who are merely the carriers of them from one country to another. I am, nevertheless, inclined to think, that a commercial life, merely as including a great desire of gain, is, for that reason, unfavourable to the active powers of valour and fortitude. This was the opinion of a Roman * historian, whose observations on mankind have always been universally respected: nor is it difficult to account for it. Courage and valour are naturally connected with ideas of glory and honour. But the desire of gain almost constantly absorbs the other passions, and destroys their force and energy. A person, therefore, who contends for property, contends for that only, and is not stimulated by that variety of motives—such as reputation, the love of liberty, and of the society to which he belongs, &c.—which are such powerful incentives to others. Another circumstance, likewise, should be considered, which, I imagine, must have considerable influence; which is, that the man who is valiant from motives of the latter kind, has not only a present interest in the glory he may acquire, but also a future one, in the reputation of his character, if he should perish in the † contest; so that he may be said to have an interest either in

* *Avaritia pecuniæ studium habet quam nemo sapiens concupivit. Ea quasi venenis malis imbuta corpus animumque viritum effeminat.* — Sallustii Bell. Catilinar.

† Horatius Cocles, says Polybius, when the bridge was broken, and the city secured from insult, threw himself into the river with his armour, and there lost his life, as he had designed, having preferred the safety of his country, and the future fame that was sure to follow such an action, to his own present existence, and the time remained for him to live. Such, observes the historian, is the spirit, and such the emulation of achieving glorious actions, which the Roman institutions are fitted to infuse into the minds of youth. — Hampton's Polybius, book vi. extr. 3.

surviving, or falling in battle. But the man who contends from motives of property, has no pretensions to a reputation of this kind; which he would not value if it could be acquired. Moreover, his sole concern lies in the preservation of life, without which the property he maintains would not contribute to his pleasure or enjoyment. A man, therefore, who contends upon principles of the latter kind, is not only excited to courage by fewer and less powerful motives, but the very motives which are to excite him counteract, in some measure, their own effects.

S E C T. II. *Effects of a commercial life upon the moral conduct and manners.*

I have before observed, that commerce tended to render those who follow it interested, and apt to consider riches as the supreme good and end. From this it may be naturally inferred, that such a way of life tends to corrupt and debase the moral character. This complaint has been made ever since the time of Plato *, and still continues. This corruption is, however, partial only; as in some respects the contrary effect takes place, and the morals are even improved by commerce. But of this it will be proper to speak more in detail.

Public spirit, or public virtue, is, I believe, rarely found in states whose principal object is commerce.

Trade, as Mr. † Montesquieu observes, whilst it unites nations, does not, in the same manner, unite individuals. The acquisition

* De Legibus, l. vi.

Carthagenfes fraudulentis & mendaces non genere, sed natura loci quod propter portus suos multis & variis mercatorum sermonibus ad studium fallendi studio quæstus vocabantur.—Cicer. de Leg. Agrar. in Rullum.

† Sp. of Laws, book xx. ch. 2.

of great riches and property—especially when this is ‡ unequally distributed, as it is subject to be in trading countries—is apt to give to each individual a separate interest distinct from that of the state. Hence the factions in commercial countries generally run very || high. Even the common danger is not always sufficient to unite them: so that they gratify their private interests and passions, they regard not the public. Thus the invasion of Scipio irritated the feuds and divisions § that prevailed among the Carthaginians, and shackled, as it were, the strength of that city; for the common people now grew diffident of the generals, the senate, and the great men; and this made the populace more furious. On the other hand, the presence of Hannibal in Italy put an end to all the disputes which then subsisted among the Romans, and united them all in the common defence of their country. In a similar manner to the former of these instances, the factions in Holland were as outrageous during the invasion of their country by Lewis XIV. as at any other period.

Another corruption of the mental kind, which prevails much in commercial countries, is the want of generosity and private benevolence. Where money is in so high estimation, nothing is

‡ The fortunes of the people at Rome were nearly on a level; but at Carthage, some particular persons possessed the wealth of kings.—Grandeur and Decline of the Roman Empire, ch. iv.

Plato observes, that in a state wherein the inequality of fortune among the members is very considerable, there is but little union of interest; and that in reality they form two states or communities, one of the poor, and another of the rich, and sometimes more.—Platon. Op. l. xxxi. dialog. 4. de Republic.

|| The natural lust of wealth, says Polybius, that prevails among the Cretans (a trading and naval power) gives birth continually to private contests, and to public dissensions and divisions, and produces murders and intestine wars. — Book vi. extr. 3.

§ The two prevailing factions at Carthage were so divided, that the one was always for peace, and the other for war; by which means it was impossible for that city either to enjoy the one, or to carry on the other to advantage. — Montesq. Grandeur and Decline of the Roman Empire.

done or given but with a view to its acquisition ; consequently, disinterested kindness can there be but very sparingly practised.

For a similar reason, friendship, in the sense it was understood by the Greeks and Romans, is very seldom seen in trading countries. Where interest is the leading principle, personal regard can be but faint, as such a preference is quite contrary to that delicacy of sentiment that always accompanies and is essential to this passion when in a pure state. But the great regard that is paid to wealth in commercial states, is not only negatively injurious to public virtue, but immediately produces a great degree of national corruption and depravation of manners. From this cause arose the vices that prevailed in the * Cretan republic. Hence sprang the † venality of the Carthaginians, before noticed, their bad administration in providing ‡ for their armies, the oppressions they practised upon their || colonies, and the § plunder which they made of the state. I believe, however, that corruptions of such magnitude seldom take place in commercial states until great

* When we perceive, therefore, says Polybius, that the laws and manners of the state are such as tend to promote the exercise of honesty and virtue, as it is very reasonable for us to conclude that the state itself is virtuous, and the members of it free from all reproach ; so, on the other hand, when an immoderate desire of gain governs the life of every private citizen, and the public transactions of the state are contrary to justice, we may safely venture to declare, that the laws of this community are bad, the manners of the people corrupt and vicious, and the whole government contemptible. Now, if we consider the character and conduct of the Cretans, it is certain that scarcely an example can be found of any nation, in which the private manners of the citizens are more replete with artifice and fraud, or where the public enterprises are more unjust.—Polyb. book vi. extr. 3.

† See the last section.

‡ The Carthaginian army, and even the city itself, were nearly starved in their own country ; whilst the Romans enjoyed great plenty.—Appian. Lybicus.

|| On Spain particularly.—Polybius, book x. extr. 6.

§ When Hannibal, on being elected prætor, endeavoured to hinder the magistrates plundering the republic, they complained of him to the Romans.—Appian. Lybic.

wealth

wealth has been already acquired, and perhaps some change made in the form of government; of which last I shall speak hereafter.

Hitherto I have spoken of the *bad* effects of commerce upon the morals. Let us now look to the favourable side, and see in what respects the morals are improved by it.

And first, I believe it is acknowledged to be the general tendency of trade, to render those who practise it just and honest in their private transactions. Mr. Montesquieu remarks, that the Chinese * are the only people that have withstood this influence, and continue still to be knaves in spite of their extensive † commerce. This may seem incompatible with the character before described, as incident to this way of life; but is, in reality, very reconcileable with it. Trading nations are not honest upon principles of virtue, but upon those of interest. Commercial business could never be transacted without a mutual confidence; and this would not be imparted without a belief that it would not be abused. As this credit, therefore, is the foundation of a man's trade, and means of raising his fortune, it is the interest of every man to retain it as entire as possible. So that in this respect, the desire of gain, which in so many instances tempts people to forfeit their moral character, tends, in this instance, to make them preserve it.

Sobriety, also, may, I believe, be accounted a national virtue amongst trading states. The Carthaginians were remarkably sober; and although this might arise, in some measure, from the climate, it is probable that their commercial turn tended to encourage it, as some of the people, who inhabit that country at present, are much addicted to drunkenness.

* I have before mentioned, that this knavery of the Chinese is, in general, confined to the lower ranks of people. The great trader among them, as with us, is just and equitable in his dealings.

† Sp. of Laws, b. xix. ch. 20.

Indeed,

Indeed, it is necessary that a trading people, who are obliged, from necessity, to be always on their guard, and on the watch to seize advantages, should refrain from any vice which disorders the understanding.

I imagine, likewise, that those injuries that arise from or are accompanied with force and violence—which occur so frequently in the rude states of mankind—are committed seldom here, or are at least contrary to the disposition of the people. The peaceful and timid turn which this way of life induces, the regular police which attends it, and the severe penalties annexed to such offences, together with the other means of acquiring property which such a way of life presents; all concur to prevent crimes of this kind.

So far on the effects of commerce upon the morals. Let us now examine its effects upon the manners and behaviour.

The manners of a commercial state are always, in a good measure, courteous and agreeable. This quality seems to have been ascribed to the Carthaginians even by their enemies the Romans*. The people of Marseilles† were remarkable for a similar behaviour; and Diodorus Siculus observes, that the people of ‡ Cornwall, in England, were the most courteous and polished of any of the inhabitants of that || country; which difference he ascribes entirely to their more extensive commerce.

The same mode of behaviour has prevailed always, in a great measure, among the people of the East Indies ††; and is at present carried to its utmost height in ||| China.

* Virgil. *Æneid.* lib. i.

† Strabon. lib. iv. Cicer. pro Flacco.

Tacitus also calls Marseilles, “Locum Græca comitate & provinciali parsimonia mistum.”

‡ Diod. Sicul. lib. iv.

|| Julius Cæsar makes nearly the same remark with respect to the inhabitants of Kent,—Comm. book v. ch. 5. § 14.

†† Strabo. lib. xv.—Diod. Sicul. lib. ii.

||| Du Halde.

This effect is very naturally produced by commerce ; as it causes a great degree of civilisation in general, and as it opens an intercourse with other nations, and thereby affords an opportunity of a mutual comparison of the manners of strangers with those of the inhabitants.

S E C T. III. *Influence of a commercial life upon the intellectual faculties.*

A commercial life may, in several respects, be accounted favourable to the intellectual faculties. Thus it tends to exercise, and consequently to improve, the memory ; it introduces a methodic arrangement into the business of life, which facilitates it greatly, by instructing us to apply our abilities separately to their proper purposes. Commerce also enlarges the ideas, teaches nations their true interest, and is a cure for the most pernicious prejudices.

Science, likewise, considered in the light of the knowledge of arts, is indebted greatly to commerce. Thus astronomy, navigation, mathematics, mechanics, the science of numbers, the arts of working metals, and many others, are connected with, and greatly promoted by, commerce. But although those arts and sciences that immediately conduce to use and convenience, flourish greatly in a commercial state, I am apt to think that commerce, considered merely as such, and not as a step to further improvement, is not favourable to the polite and rather ornamental branches of science.

Thus trade has always been thought rather inconsistent with some branches of literary composition of the more elegant kind. We read of scarcely any poetical performances among commercial states ; and history has scarcely proceeded farther than a detail of facts and events. Some studies, however, which, although highly

useful to society, are, nevertheless, dry and unentertaining, have been cultivated among them with great success. Thus the Dutch have given us several excellent works on jurisprudence and the law of nations; and even medicine has received some of its greatest improvements from the same quarter. In all branches, however, of taste, or the faculty of distinguishing and relishing beauty, a trading people have in general been very defective. This is notably exemplified in the common affairs of life, as in what relates to buildings, furniture, laying out grounds, &c. Mr. Shenstone remarks, "that the taste of the citizen and of the mere peasant are in all respects the same. The former gilds his balls, paints his stone-work and statues white, plants his trees in lines or circles, cuts his yew-trees square or conical, or gives them what he can of the resemblance of birds, bears, or men; squirts up his rivulet in jets d'eau; in short, admires no part of nature but her ductility; exhibits every thing that is glaring, that implies expence, or that effects a surprise because it is unnatural: the peasant is his admirer †." To this testimony we may add that of several of our best dramatic writers ‖, with whom the bad taste of commercial people has long been an object of ridicule. Some writers have, indeed, spoken of the taste and elegance of the Chinese in the above respects; and in particular a late publication, said to be by Sir William Chambers, has described their performances in this way, in such a manner as to give reason to doubt if he was serious in his representation. But the accounts given by other writers of undoubted credit, describe the taste of the Chinese to be very like what it is in other trading countries—heavy, glaring, loaded with ornament, and full of affectation of expence. The magnificence of a house in China, says Du Halde *, consists in the large size of its beams and pillars, which are to be made of the most valuable

† Thoughts on Various Subjects, by William Shenstone, Esq.

‖ See the character of Mr. Sterling, in the *Clandestine Marriage*.

* Vol. ii. p. 99.

woods, and in the sculpture on the gates. As to gardens, it does not appear that they have any, but what serve for producing somewhat useful for diet.

The art of war, considered as an object of science, has been greatly improved in commercial countries. The knowledge and use of weapons; the science of fortification, of discipline, and of the other resources of war, are there understood and practised in their utmost extent. But these, though highly important, are in reality, as Milton calls them, "arguments of human weakness, rather than of strength," and are often carried to the highest degree of improvement, when the vigour of nations is beginning to decay. When personal courage abates, people often think to supply the deficiency by external means of this kind. Happy would it be for nations to reflect, that arms are only of consequence in the hands of the brave; and that although the resources of war, when other advantages are equal, may decide a single contest, yet even these, unless properly and resolutely employed, are of no avail, and often serve only to strengthen those, in opposition to whom they were prepared.

S E C T. IV. *Effects of a commercial life upon the laws and customs.*

And first, with respect to the law of nations. As the occasions to apply to the law of nations frequently occur in commercial affairs, this law is in general more regarded in trading countries than in those not concerned in commerce. The former have, likewise, different ideas on this subject from the latter.

Thus the sea, which at first view appears to be of common right, and no specific property of any peculiar nation or people, has been parcelled out and divided, as well as land, by commercial nations. This is exemplified in several instances, in ancient as well

as modern history. It was one of the articles of Cimon's treaty with the Persians, that they should not sail with any ships of war between the Cyanean and Chelidonian isles. Hanno, in his negotiation with the Romans, declared, that they should not even be suffered to wash their hands in the † sea of Sicily; neither they nor their allies were allowed to sail beyond the Fair promontory, unless compelled by bad weather, or an enemy; and in case that they were forced beyond it, they were not allowed to take or purchase any thing, except what was necessary for refitting their vessels, or for sacrifice, and were obliged to depart within five days. They were not permitted to trade in Sicily, Sardinia, or Africa, except at Carthage. Many ‡ other restrictions of a similar nature are to be found in the treaties between the two nations. Modern history affords instances of the same kind. The Venetians formerly, in their state of commercial greatness, laid claim to the dominion of the Adriatic Sea; and the Danes, in later times, have assumed a kind of sovereignty over the Baltic.

The jealousies, however, which some nations have adopted relative to particular branches of trade, have caused some strange practices, which are neither consonant to the laws of nations, the rules of humanity, or even the dictates of common sense. Of this kind was the law that prevailed at Carthage, that all || strangers who traded to Sardinia, and towards Hercules's pillars, should be condemned to be drowned. Of a similar nature is the jealousy of the Spaniards relative to their trade to South America; and of the

† Frenshemius Supplement to Livy, dec. ii.

‡ Polyb. book iii. chap. 3.

|| The speech of Ilioneus to Dido, in Virgil, seems to allude to some law of this kind:

Quod genus hoc hominum, quæve hunc tam barbara morem
Permittit patria; hospitio prohibemur arenæ.
Bella cient, primaque vetant consistere terrâ.

Æneid. l. i. l. 539, 540, 541.

Dutch,

Dutch, of the spice-trade in the East Indies. In the war of 1740, between Spain and England, the former made a law, which punished with death those who brought English manufactures into Spain; and the same penalty on those who carried Spanish manufactures into England. An ordinance like this, Mr. * Montefquieu observes, can scarcely find a precedent in any laws but those of Japan. It equally shocks humanity, the spirit of commerce, and that harmony that ought to subsist in the proportion of penalties, making that a crime against the state, which is only a violation of civil polity. This law was, however, of the commercial kind, though mistaken in its object, and, indeed, in every other respect.

In some instances, however, commerce has infused into the law of nations a degree of tenderness and humanity. The northern nations of Europe, when in their barbarous state, were accustomed to plunder the vessels, and destroy or captivate the crew, † that were by misfortune thrown upon their coasts; and the property acquired by such a breach of humanity, in some countries, even in our own, formed a branch of the ‡ royal or public revenue. In later times, however, these ideas, which are in every sense barbarous, have been discarded nearly every where, and more || humane ones adopted; and compassion and assistance to these unfortunate persons is now esteemed due, by the law of nations, in every part of Europe. This humanity is obviously owing to the extension and encouragement of commerce.

The spirit of trade has imparted to the law of nations a peculiar regard to the persons and property of merchants. Thus, in Great Britain, it is specifically provided, that the goods of foreign mer-

* Sp. of Laws, b. xx. ch. 14.

† In naufragorum miseria et calamitate tanquam vultures ad prædam currere.—

Stiernhook de Jure Sueconum, lib. iii. c. 5.

‡ Doctor and Student, d. ii. c. 51.

|| See Blackstone's Comm. b. i. c. 8. § 11

chants, on the breaking out of a war, shall not be seized, but by way of reprisal. It is remarkable, that the English, even at a period when trade was little known, and less practised, made this one of the articles of their great charter of liberty; which proves, that, even in early times, they well understood the value of this highly important article.

The effect of commerce on the municipal law is more extensive and more remarkable. And first, the penal or criminal law. Property being the object of the policy of the country, in commercial states, the preservation and security of it is the principal drift and intent of the laws, both criminal and civil; and the general spirit and tendency of them bears a particular reference thereto, especially to property of the personal kind. Whatever crimes, therefore, attack such property most directly, are most severely animadverted.

Thus the *crimen falsi*, in several instances, forgery particularly, is a capital crime in Great Britain by modern acts of parliament, which was not so by the common law of England, nor indeed by the * civil law, except accompanied with peculiarly aggravating circumstances. It is curious to trace the progress that the laws of this country † have made in fixing the punishment of this crime, as wealth and commerce have increased; so that now they are become so complete, that, as a learned judge remarks ‡, there is scarcely a case possible to be conceived, wherein forgery, with an intent to defraud, is not made a capital offence. Another species of the *crimen falsi*, that approaches nearly, in its nature, to forgery, is the falsifying of the coin of the kingdom; a circumstance of the most especial concern to commerce. This was esteemed a heinous crime in very early times, among trading states. Diodorus Siculus tells us ‡, that the

* Institut. iv. 18. 7.

† Blackstone's Comm. b. iv. ch. 17.

‡ Diod. Sic. lib. i.

ancient Egyptians punished both this and forgery with cutting off the hands ; and by the law * of Athens the penalty was capital, as it was in after times by the † civil law. The last of these considered this crime as a species of the *crimen læsæ majestatis*, or high-treason, from a whimsical idea of an insult to the prince, by counterfeiting his image in the impress upon the coin. Others, indeed, considered it, with more plausibility, as an usurpation of the rights of sovereignty ; but this construction, as well as the former, is now thought overstrained, and in consequence thereof, the later civilians have rejected this idea, and consider the crime, as it ought to be, a species of the *crimen falsi* ; in which opinion they are followed by the oldest ‡ writers on the common law of England. Later statutes have, however, followed the old idea of the civil law ; and this offence is now esteemed high-treason with us, as it is in France, and, I believe, most of the other countries of Europe. The punishment of it, however, in England, is both less terrible to the senses, and less injurious to the family. I do not, however, mean to say, that the severity of this law was originally dictated by commercial interest ; but, as it has been greatly extended of late years, since commerce and property have so much increased, it is highly probable that a consideration of the consequences of this crime to trade has suggested the propriety of keeping up the ancient rigour, and putting the law into strict execution ; so that, whatever it was formerly, it may now, in some measure, be deemed a commercial law. Another branch of the *crimen falsi*, perjury, is also, in some instances which relate more particularly to commerce, made a capital crime by the law of England. In this I allude principally to fraudulent bankruptcy, or the concealment of the effects of a bankrupt by himself, in violation of his oath, in

* Potter's Antiquit. l. i. c. 26.

† C. xxix. 24. 2. Cod. Theod. de falsâ.

‡ As Glanvil, Bracton, Fleta, &c.

order to defraud his creditors; which is punished with death in most other countries, as well as in our own. I shall not here enquire into the necessity, justice, or propriety of these laws, but only remark, that it must appear to mankind, in general, very extraordinary in our system of jurisprudence, that a perjury committed where property alone is concerned, should be capital, when the same crime, not with the intent only, but the actual perpetration also, of depriving a fellow-creature of life, by a false accusation, should be deemed a misdemeanor only. A learned judge, in excuse for this rigour, has, indeed, alledged, that this offence being an atrocious species of the *crimen falsi*, ought to be put upon a level with forgery * and falsifying the coin. But the same gentleman had before remarked, that the latter of these offences was improperly arranged † under the head of high-treason; and, on that account, too rigorously punished: consequently, any defence of the present severity, drawn from the analogy of the crimes, is improperly introduced, and of no weight in its vindication.

Smuggling is another species of the same crime, and what the laws of this country have, in some circumstances, declared to be capital, though the most rigorous part of that law is now expired. This law is evidently of the commercial kind, since the same crime, in countries that have but little trade, as in ‡ Turkey, is scarcely regarded in a criminal light.

All other offences respecting property, are severely censured in commercial countries. Thus, in England, numberless acts of parliament have been made of late years, since our wealth and commerce have so much increased, to punish invasions upon property; which is now, I believe, nearly as well secured, as it is possible to be by penal laws. Many of these laws appear to be very rigorous: which proceeds, in some measure, from the adhering to the old denomina-

* Comm. book iv. ch. 12. sect. 3.

† Ibid. ch. 6. sect. 2.

‡ It is punished only by doubling the duty.

tion of the value of money, but more from the increase of property by trade. Nations that have had but little commerce, have punished stealing, in general, very mildly. The penalty, among the Jews, was only restitution of the value, and a fine. The same was nearly the case with the Greeks and Romans, with the barbarous nations that invaded the Roman empire, and our Saxon * ancestors in Britain.

This attention and regard for property has contributed to render the police, in commercial countries, extremely strict and exact; and with great reason: trading people are seldom very warlike; they are masters of great property, much of which must be of the moveable kind, and of course in a capacity of being seized; which is a great temptation to the indigent. The people in such states are very numerous; and when once a disturbance breaks out, it is generally very difficult to appease. This, we are told by Du Halde, is the case in China; and we know that it is also so in Holland. Hence the rigid attention to police in both these countries.

The necessity that there is for industry and frugality, in a trading country, causes some things to be esteemed censurable there, with which laws in general do not interfere. Thus idleness is held criminal in China and in Holland.

The mode of trial, in criminal cases, is, in some measure, influenced by commerce. The law of England, conscious how much strangers may suffer by the scrutiny of their conduct being submitted to persons only who belong to the country whose laws they are accused of infringing, has humanely provided, that the jury, in such cases, should be composed of half aliens, and the remainder denizens, which is called a jury *de medietate linguæ*. But this privilege is not allowed in cases of high-treason, aliens * be-

* Theft was first made capital in Henry III's time, in England.

† 2 Hawkins's Pleas of the Crown, 420.—2 Hale's Pleas of the Crown, 271.

ing very improper to decide on the breach of allegiance. This privilege is not, however, I believe, allowed in any other country except our own.

The effect of a commercial life on punishments is next to be considered.

Many criminal actions with respect to property, which, in states whose trade is but small, are looked upon as little more than trespasses, or civil offences, are, in commercial countries, punished with death. This is the case with several species of the *crimen falsi* before mentioned, and some other offences. These severities have, with great plausibility, been ascribed to the increasing opulence of the country, produced by commerce, against which these crimes peculiarly militate; and indeed there seems sufficient cause to believe that sanguinary laws are but too often the consequence of national prosperity and increase of wealth. Sensibility sleeps in the lap of luxury; and the legislator is content to secure his own selfish enjoyment, by subjecting his fellow-creatures to the miseries of a dungeon, and the horrors of an ignominious death. It is a melancholy truth, says a great writer on our law, that among the variety of actions which men are daily liable to commit, no less than an hundred and sixty have been declared capital felonies by act of parliament, or, in other words, to be worthy of instant death*. It was shrewdly remarked by Sir Henry Spelman, above a century ago, that, whilst every other thing had increased in value, the life of man was become cheaper, and less regarded†; a circumstance, probably, even then, owing, in a good measure, to the increase of commerce and national wealth.

* Comm. book iv. ch. 1.

† Animadvertite autem in quantam asperitatem ex rerum temporumque vicissitudine lex antiqua abripitur. Quod enim olim aliquando duodecim v̄enit denariis hodiè sæpè viginti solidos imo quadraginta vel pluris est; nec vita hominis interea charior sed abjectior.—Spelm. Glossar. Vox Latrocinium, p. 350.

So far on capital offences. Let us now speak of the punishment of inferior crimes.

It appears at first view somewhat extraordinary, that fines and forfeitures should be much in use among a people whose personal property was inconsiderable, whilst corporal punishment was rarely inflicted; and, on the other hand, that forfeitures of property, where property was large, should be seldom imposed, and corporal punishment be there very common. Yet this was really the case. Among the ancient Germans, Franks, and other northern nations, it is well known that nearly all crimes were capable of being expiated by a pecuniary recompence, and corporal punishment was rarely used; whereas in † China property is inviolable, but the branding-iron and bastinado are applied very liberally, and on slight occasions, to all orders of people. Nor are the reasons of this seeming contradiction difficult to be investigated. A fine implies no personal disgrace, and is still a restraining motive; consequently, this mode of animadversion was likely to be preferred by a brave and free people, endued with high notions of honour; to whom any personal affront, such as a blow, even judicially inflicted, would be intolerable. Add to this, that personal property, at that period, was seldom considerable. This last circumstance was one cause why, in the English law, the forfeiture of goods and chattels was so often inflicted for offences of no great enormity, and sometimes, indeed, for what, in truth, could scarcely be called any offence at all, such as excusable homicide, and several others.

But in a trading state, where interest is the ruling passion, the point of honour is little regarded, and corporal punishments are only considered with respect to the injury they produce, or the pain they inflict; and not with regard to any dishonour incurred from them. These then are preferred to those punishments that affect property, such as fines and forfeitures, which might prove a very unequal mode of punishment, and also tend to discourage industry, by diminishing the security of property.

† Du Halde, vol. ii. p. 18, 159.

The effect of commerce on the civil law is next to be considered.

I do not mean here to treat of such laws as concern particular branches of trade, or what are of a local kind, but only to mention some of the general effects of trade and commerce upon the civil law; in which, however, I fear this part of the work will be extremely defective.

Property, I have before observed, to be the main-spring or mover of the laws of commercial countries. This was discernible in the criminal law, and still more in the civil. I shall consider this under the following heads, all of them relative to property, and particularly of the commercial or personal kind; each of which may be esteemed as a distinct object, though all concurring in the same general idea and intention.

The first of these is, to secure commercial property as much as possible.

Commercial property is exposed to so many unavoidable hazards, from its own nature, that it is highly necessary that the laws should pay a peculiar regard to it, in order to induce people to incur the risque. That law is of this kind that permits the seizure of the body for civil debts. This, Mr. Montesquieu observes, would be improper in the generality of civil affairs, but is necessary in those of commerce. For as merchants are obliged to intrust large sums (frequently for a very short time) and to pay money, as well as to receive it, there is a necessity that the debtor should constantly fulfil his engagements at the time prefixed; and hence it becomes necessary to lay a constraint on his person.

In affairs relating to common civil contracts, the law ought not to permit the seizure of the person, because the liberty of one citizen is of greater importance to the public, than the ease or prosperity of another. But in conventions derived from commerce, the law ought to consider the public prosperity as of greater importance than the liberty of a citizen; which, however, does not hinder the restrictions and limitations that humanity and good policy demand.

Some

Some commercial nations, indeed, have not allowed of this mode of satisfaction. Diodorus Siculus tells us, that it was not permitted in Egypt; and Du Halde says, it is not in use in China; and at present it is one of the principal subjects of complaint against the English laws being introduced into the East Indies. The peculiar nature of these countries, the two former especially, has been, as I apprehend, the cause of this difference. The necessity there is for industry in every single individual, in order to support such a multitude of people, makes it improper that any should be reduced into a situation that renders them unable to contribute their labour to the common stock, causes them to remain an useless burden upon the community, and, moreover, engrosses the time of others, in the care and attention necessary for their confinement. In this case, regard to the maintenance of the people supercedes the concern for the security of property.

Another security afforded by the law to commercial property, in our country, is by the regard shewn to the contracts and obligations that regard trade. Bills of exchange are particularly favoured, and several advantages granted to them, which other personal securities, and even some real ones, do not possess. Thus a bill of exchange, or promissory note, expressed to be for value received, is evidence of the debt in the hands of a third person, and compulsory on the person who drew, or accepted it to pay; nor can any evidence, even a receipt (unless upon the bill itself) be pleaded to avoid it, even though nothing was originally owing to the person who drew it, from the person upon whom the bill was drawn*.

Every

* But with respect to the personal estate, there is a difference between contracts that are negotiable and such as are not, or where they are not negotiated in a mercantile way, where the note passes as ready money, as if it was assigned as a collateral security for a debt already contracted; for there, if the note was fraudulently obtained, or by gaming, he has no remedy against the drawer; but if he actually negotiates it for value, the indorsee shall, in all events, have his money of the drawer, though he has paid it before, or it was obtained by fraud, because the in-

Every person who came honestly by such a security, no matter from whom, has a right, by law, to the payment of it, from the drawer, the acceptor, or those who have indorsed it. Now a bond security, though in some respects (as its remaining longer in force) more highly regarded by our law, is in others inferior to a bill of exchange, or promissory note; since a bond, though capable of being transferred or assigned to a third person, really stands as a security for so much only as may remain undischarged of the sum for which it was originally given. Indeed, a bond is (properly speaking) not assignable at law, like a bill of exchange or promissory note, and only equitably so.

An assignment of a bond is rather a letter of attorney to a third person, empowering him to sue in the name of the person to whom the bond was given, and, consequently, a discharge from that person may be adduced as a satisfaction for the whole, or any part of the sum; but in a promissory note, or bill of exchange, the person to whom it is assigned becomes the principal himself, and entitled to demand the whole money on his own account; nor will any payment to the drawer avail the acceptor or indorser in the least, against the holder of the bill or promissory note.

Another instance of this kind, in the law of England, appears in the regulation of those securities called the statute-staple and statute-merchant, which were originally permitted only among traders, for the benefit of commerce. They are, in reality, the highest and most extensive securities known to our laws, as by them the debtor may not only have his personal estate seized, but

indorsee has a legal right to the note, and a legal remedy at law, which the court of equity ought not to take away from him; and it would be the ruin of all commerce, if the original cause and consideration of such note was to be enquired into. But the assignee of a chose in action has no remedy at law, or right to sue in his own name, and has only an equitable remedy: and this fails when the bond or covenant is obtained by fraud, or the obligor has a legal discharge, as a release, upon payment of the money.—Treatise of Equity, b. vi. c. 3. § 4.

his

his land and body also, by one process; a thing not permitted under any other species of obligation known or acknowledged by our laws.

But although these securities, granted to commercial transactions, may appear very ample, other nations have gone a step farther, and endeavoured to entail the debts of the father upon the children, even though the latter received nothing by the inheritance. This is attempted to be done, in some degree, at Geneva; whose constitution of government excludes from the magistracy, and every branch of the legislature, the children of those that have died insolvent, unless they pay the debts of their fathers. This law, Mr. Montesquieu observes, had an admirable effect in giving a confidence in the merchants, in the magistrates, and in the city itself. There the private credit of the individual has, in a good measure, all the weight of public credit.

The laws of Rhodes went still farther. With them, a person could not be released from the absolute obligation of paying his father's debts, even though he renounced the succession.

This law, Mr. Montesquieu observes, was calculated for a republic founded upon commerce. He is, however, inclined to think, that reasons drawn from commerce itself ought to make this limitation of the law *, that the debts contracted by the father, since the son's entering into trade, should not affect the estate or property acquired by the latter. A merchant ought always to know his obligations, and to square his conduct by his circumstances and private fortune.

Another object of the laws of commercial countries is, as losses must necessarily sometimes happen, that these be divided, as much as possible, among a number of persons, and not be accumulated upon one † individual. This is done, in some measure, by the al-

* Sp. of Laws, b. xx. ch. 17.

† The most ancient law that I know of, that is made with this intent, is the Rhodian law *De Jactu*, which is inserted into the laws of William the Conqueror.—Wilkins Leg. Saxon. p. 225.

lowance, and even encouragement, given by the law to insurances of mercantile effects, and other things, especially naval insurances; which, although in reality only a species of gaming, founded on the proportional probability of the event of the loss happening or no, yet, as they afford a kind of security to commerce, and encourage people to engage in it—and also prevent, in some measure, the ill consequences of any unfortunate event, by dividing the loss amongst a number of persons—are countenanced by most of the European countries. The laws of England, however, in order to prevent this permission being perverted to a gambling intent, have declared all policies void, where the insurer has no interest in the thing insured. Another law tending to the same intention, which is almost universally embraced by people engaged in trade, is that whereby a man engaged in commerce is, under certain circumstances, declared a bankrupt, and by which his estate is equally divided among all his creditors, according to the proportion of their debts; a most equitable and wise method to prevent any undue or fraudulent preference of one creditor to another, and insure to each man such a share as the effects of the debtor will satisfy. Nor is this regulation less favourable to trade by the security it affords to the creditor, than by that it gives to the debtor; who, if he behaves justly and candidly by his creditors, is reinstated in his reputation, freed from his burthens of obligations, and at liberty to begin the world afresh upon a new footing. The law of England is particularly favourable to these unfortunate persons.

— Another object of the laws of trading countries is, as money is absolutely necessary for the carrying on of commercial business, to supply this to trade upon as moderate and equitable terms as possible. Hence the laws to regulate the interest of money. This might, perhaps, be thought proper to be left to itself, to find its own value, as well as other commodities; but the necessity under which commercial people often are, of borrowing money at short warning, and at all events, being a great temptation to others to take

take advantage of their situation, by demanding exorbitant premiums—which would be highly detrimental or discouraging to trade—has induced commercial states to regulate the extent of the sum allowed to be taken for interest, which must not be exceeded; which regulation is taken from the proportion of current money in the state exceeding that necessary to carry on the business of exchange, and the common concerns of life. The advantage of this regulation to trade is too obvious to be more largely explained.

It may appear a strange position to lay down, that whilst the fixing the price for the interest of money lent is esteemed to be of such service to commerce, that a law allowing and encouraging a higher premium to be taken should also be conducive to the same purpose. But this seeming paradox may be, I believe, easily explained. The price to be paid for the hire or use of money is calculated from two circumstances; one, from the inconvenience which the lender suffers for want of his money; the other, from the hazard of his not receiving it again. When, therefore, we speak of the interest of money in general, we mean so much, nearly, as is equivalent to make amends for the inconvenience which the lender suffers for want of his money, little, if any thing, being allowed for the hazard, which is supposed to be scarcely any. But it is not always in the power of merchants to give any security, that is not acknowledged to be hazardous in some measure; and if they were not allowed to compensate for this hazard by the increase of the premium, no one would advance them money, and the law that was made for their benefit would, in reality, turn out to their detriment. To obviate, therefore, this inconvenience, trading nations have allowed the validity of contracts, where more is taken than the legal interest, when the security itself is precarious; as in the case of bottomry, in which the ship itself is pledged, and respondentia, where the cargo is made answerable, with these reservations in both cases, that the ship or cargo be not lost in the voyage. There are other kinds of maritime usury, on a footing nearly similar.

Another object of the laws of commercial nations is, to prevent extravagance and dissipation of fortune among the members. The ill effects of a disposition of this kind are sensibly felt in a trading state, where frugality and œconomy are, as it were, the life and support of the community. Extravagance promotes idleness, luxury, gaming, and many other vices directly opposite to the interests of a commercial state, and, what is most important of any, strikes at the very root of all credit, without which trade could not even subsist.

To prevent this, therefore, several trading countries have enacted laws. Thus, in China, a man who is prodigal of his fortune is considered as one who has lost his understanding, and is, in like manner, deprived of the management of his affairs; and the like practice is in use in Holland: the latter of which is borrowed from the civil law. In the last-mentioned country they carry the affair still further, and even prevent a man's engaging in any expensive undertaking, that does not bring some profit, or infer some prospect of advantage, such as the building of an expensive house, &c. until he has settled a certain proportion of his substance upon his wife and children, which proportion is usually one half of the whole. Excellent, this law! which at once prevents the ill consequences of profusion, without depriving a man of the power over his effects.

Another object of the laws of commercial countries is, to prevent too great accumulation of property in the hands of individuals. Although dissipation and profusion are of the worst consequences to commercial states, it is not their interest, on the other hand, that enormous fortunes, especially land estates, should be accumulated by private persons. Commerce requires a fluctuation of property, as a spur to industry, and as the means of preserving a due equality among the members of the state. Enormous fortunes, also, continued in families, would beget pride, idleness, and luxury, render personal distinction despised, and bring trade into contempt.

For

For these reasons, in trading countries, a man's estate is divided equally amongst his children, and does not go in different proportions to the elder son, as in some others. This is the course of descent in China and in Holland. For the same cause, entails, that settle estates to descend through a course of generations, without a possibility of alienation, are adverse to the nature and genius of a trading people, and are accordingly now much retrenched in our own country; which is partly, though not altogether, owing to the increase of commerce.

Another object of the law of commercial countries, is the regulation of those who are permitted to engage in commerce. Of this kind are the laws which provide that no person shall exercise any trade or employment, unless he shall first have received a certain degree of instruction in it, or at least shall have served a fixed period of time to one versed in the art or business.

These were probably at first intended to secure the goodness of the commodities, by providing that they should not be manufactured, unless by such as might be reasonably deemed to be capable of it. But many of these regulations having been perverted into local restrictions, and formed a kind of a monopoly in a few hands, and thereby contributed to injure that which it was originally intended to improve, these sorts of restraints—such as of companies in corporate towns, &c. and all other exclusive privileges—have been much discouraged by the courts of law in this country; it having been found by experience, that emulation is the best means of exciting industry, and of insuring the goodness of any commodity.

Another law of the same kind, is that which establishes trading companies to different parts of the world, with privileges exclusive of any other person interfering in the trade. Of this kind is the East India Company in England, at present; and formerly the African, and some others. These were of some service in the infancy of trade, in order to induce people to run the risque, by

insuring to them the profit the trade yielded ; but in the advanced state of commerce, they are liable to the same objections as other monopolies.

Of the same nature are all exclusive patents, privileges, &c. granted to private persons ; which, in some instances, when restrained within proper bounds, are of great service in exciting industry, by insuring the profits of the invention to the discoverer ; who is thereby rewarded according to the degree of his merit, whilst the public is not deprived of the advantage it affords to general industry, as, after a limited time, the privilege ceases, and the invention becomes public property.

Another restriction, in some commercial states, apparently related to the foregoing, is, in reality, more of the political kind, and relates to those ranks or orders of people who are permitted or restrained from entering into trade.

It seems contrary to the principles of commerce, that the prince, or sovereign power, should personally engage in trade. We are told by the historians Cedrenus and Zonaras, that Theophilus, one of the few eminent characters among the Greek emperors, observing a ship of great burthen, and richly laden, entering the port of Constantinople, enquired to whom it belonged, and being told that it was the property of the empress Theodora, he ordered both ship and cargo to be burnt, saying, that he would have his wife know that he was an emperor, and not a merchant ; and that it was not consistent with his character to take the trade out of the hands of his subjects. He might have added, as * Mr. Montesquieu observes, “ Who shall set bounds to us, if we monopolize all to ourselves ? Who shall oblige us to fulfil our engagements ? Our courtiers will follow our example ; they will be more rapacious and more unjust than we. The people have some confidence in our justice ; they will have none in our opulence. All these

* Sp. of Laws, book xx. ch. 19.

numerous duties, which are the causes of their wants, are certain proofs of ours."

The same reasons which suggest a law for prohibiting trade to the prince or sovereign in a monarchy, prohibit trade, with equal reason, to the nobility in an aristocratical state.

Thus the ancient laws of the commonwealth of Rome, which was partly aristocratical at that period, prohibited any of senatorial rank from having a ship at sea that held above three hundred amphoræ *, or about forty bushels; which was evidently calculated to prevent the nobility engaging in trade. The same prohibition is at present in force among the Venetian nobility; and at Genoa the bank is entirely managed by the people.

Mr. Montesquieu carries the matter still farther, and asserts, that even in a monarchical government, wherein the immediate power of the nobility is seldom very great, though their influence is often considerable, it is contrary to its spirit, that any of the nobility should be † merchants. This, said the emperors Honorius and Theodosius, would be pernicious to cities, and would remove the facility of buying and selling between the merchants and plebeians.

I believe, however, that there are other reasons for this prohibition, besides those that merely regard trade. Such a practice would degrade the nobility themselves.

It is a maxim in trade, that the seller is under an obligation to the buyer, and in that respect inferior to him. As those who

* Ne quis senator maritimam navem quæ plus quam trecentarum amphorarum esset haberet. Id satis habitum ad fructus ex agris vectandos: quæstus omnis patribus indecorus visus est.—Livii, lib. xxi.—Vide etiam Ciceron. in Verrem.

This law was transferred by Julius Cæsar into the Julian law de pecuniis repetandis.

† A prohibition of this nature is to be found in the civil law.

Nobiliiores natalibus & honorum luce conspicuos & patrimonio ditiores perniciosum urbibus mercimonium exercere prohibemus.—C. iv. 63, 3.

pursue trade must have a variety of customers, how would such a dependence on men of all ranks suit the high, haughty, and independent spirit of an hereditary nobility? In trade, also, gain is the prime object; with nobles, glory and honour: two incompatible ideas. Military glory is also a great object among an hereditary nobility; a circumstance opposite to the ideas of a people engaged in commerce. Mr. Montesquieu * is farther of opinion, that the custom of suffering the nobility of England to trade, is one of those things that has contributed to weaken the monarchical government. I cannot, however, imagine, how a permission of which they scarcely ever avail themselves, can have had much general effect in this way. Indeed, there is a particular reason why the nobility of England should not engage in trade, which is, that they are the supreme court of justice, and last resort in appeals, both from the courts of law and equity. Should the members of this court concern themselves in trade, they might, perhaps, become too much interested to preserve the impartiality requisite in such a situation. Indeed, the law of England, though I speak here with diffidence, seems to have rather discouraged the nobility from entering into commerce, as they are not, I apprehend, subject to the bankrupt-laws.

Another object of the laws of commercial states, is to make trade respectable and honourable. The only one I recollect of this kind, is that made in England by King Athelstan †, which provided, that a merchant, who had made three long sea-voyages on his own account, was entitled to the rank of Thane or Nobleman. This institution appears to militate against the position last laid down, and was, indeed, made in times of great barbarism, and ignorance of the nature of commerce, but still evidently with a view towards its encouragement; and may, on that account, be esteemed a commercial law.

* Sp. of Laws, book xx. ch. 21.

† Wilk. Leg. Saxon. p. 71.

The effects of commerce upon the forms of civil justice, are next to be noticed.

Xenophon, in his book of Revenues, would have rewards given to those overseers of commerce who dispatched the affairs brought before them with the greatest expedition. Mr. Montesquieu observes, that he seems to have been sensible of the utility of our modern jurisdiction of a consul. "Indeed," as the same writer observes, "the laws of commerce are but little susceptible of formalities*. They are the actions of a day, and are every day followed by actions of a like nature. Hence it becomes necessary, that they should every day be decided. It is otherwise with those actions which principally regard futurity. Few of us marry more than once; deeds and wills are not the work of every day; we are but once of age."

Plato says, that in a city where there is no maritime commerce, there ought not to be above half the number of civil laws. This is very true. Commerce brings into the same country different kinds of people; it introduces, also, a great number of contracts, and of species of wealth, with various ways of acquiring it. Thus, in a trading city, there are fewer judges and more laws. We may observe, in confirmation of this, that the legal proceedings in China are very short, and the decision soon given; which probably arises, in some measure, from this consideration. The law of England, also, appears to have been, even in early ages, of the same opinion. The most expeditious court of justice known to our laws, is one calculated altogether for the purposes of trade; I mean the court of Pie Poudre, a court of record incident to every fair or market, of which the steward of him who owns the fair

* The judges, says the author of the Commentaries, quickly perceived that the forms and delays of the old feudal actions, were ill suited to that more simple and commercial mode of property which succeeded the former, and required a more speedy decision of right, to facilitate exchange and alienation.—Comm. book iii. ch. 17.

or market is the judge. This court is of great antiquity, and calculated to administer justice for all commercial injuries whatever, done in that very fair or market, and not in any preceding one; so that the injury must be done, the complaint made, heard, and determined, within the compass of one and the same day, unless the fair continues longer. The reason of its institution is, as Sir * W. Blackstone observes, to render justice as *expeditiously* as possible.

The mode of trial in civil cases is next to be considered.

It is difficult to say what mode of trial is most natural, or best adapted to a commercial state. Two things are here of especial consequence; one, that justice be properly done; and another, that the proceedings be not long or tedious, as has been before mentioned. On this account, the trial by the oath of the party is frequently in use. Thus, in Egypt, it was a law of Boccoris, which Diodorus † Siculus expressly mentions to have been instituted for the purposes of trade, that commercial contracts, made without any specific written agreement, should be decided in this manner; which was probably intended for the purpose of saving time.

The trial by judges also, who determine the law, fact, and damages, at the same time, is, I believe, natural enough to this way of life. This was the usual mode in Egypt, in the early periods, as has been before mentioned. Every precaution was, however, employed to secure an impartial trial.

The Chinese, likewise, for many reasons, have adopted the same mode; but the numerous checks that there are upon every judge, the various appeals that lie from each to a superior court, and the severity wherewith judicial injustice is treated, cause great attention to be paid in that country to these decisions. The mode of decision in Holland is, I believe, in a similar manner.

* Comm. b. iii. ch. 4. § 1.

† Diod. Sicul. lib. i.

Our law, with respect to the form of trial in commercial cases, stands upon the same footing with those relative to other civil affairs. There is, however, this difference, that not the fact only, but questions of * law also, or at least of the practice of merchants, which is the law in cases that properly regard commerce, are decided by a jury; who, indeed, are usually selected from the most respectable and intelligent among the body of merchants.

In civil cases, relative to trade, there are the same privileges granted to strangers that are given in criminal trials, of having their causes tried by a jury de medietate linguæ. In these, however, it must be observed, that a jury of this kind is only permitted, and indeed only necessary, in trials between foreigners and denizens, or natural-born subjects; since, where the dispute is only between foreigners, no partiality of the natives can be supposed.

The effects of a commercial life upon the customs of a people are the next object of enquiry.

It appears to me, that the customs or usages of a commercial people, as such, are neither very uniform nor permanent. The continual intercourse with foreigners—the modes and fashions they must naturally exhibit—the variety of manners, language, tenets, principles, and opinions—introduce, of course, a great variety of customs, and render many, of opposite or different kinds, familiar. Hence, in some measure, the mutability of the fashions and customs in † France and England, which have been much more variable since the commerce of those countries has increased. One state, however, may perhaps be adduced as an instance of the contrary; I mean China, wherein the customs of the inhabitants have continued unchanged through ages. This, however, is no objection to this position. First, the trade of the Chinese is in a great measure

* See the cases of Hoare and D'Acosta, cor. Raymond, at Guildhall, Trinity Term, 5 Geo. II; and Mainwaring v. Harrison, coram Pratt, Hil. Term, 8 Geo. I. Str. 588.

† See Mr. Montesquieu on this subject.—Sp. of Laws, b. xix. ch. 8.

internal. Du Halde says, that the internal ‡ trade of China is greater than that of all Europe. It is obvious that a commerce of this kind could have none of these effects.

Next, the foreign trade, which the Chinese carry on, is managed in such a manner as to afford as little intercourse as possible with the nations with whom they deal. The trade of the Europeans with them (some internal trade by land, which is not considerable, excepted) is entirely and exclusively carried on at one port, which is at a remote part of the empire; the Europeans are not suffered to enter even the town at which they trade, nor go into the interior parts of the country; nor do any of their vessels ever visit Europe. Lastly, the commerce of the Chinese is, on their part, altogether of the œconomical kind, or at least founded on the wants of other nations, not on their own; consequently the return is almost altogether in money or in raw goods. A commerce of this kind, then, does not introduce new customs, as it brings in no new patterns or models of imitation. Many other causes, indeed, concur to preserve the customs of the Chinese inviolable, of which I have before spoken; but these arise from the nature of the commerce itself, and are therefore proper to be considered here.

Perhaps the œconomical commerce which the Dutch carry on altogether, may be the cause why their customs are less variable than might be expected from the extent of their trade.

S E C T. V. *Effects of commerce on the form of government.*

It is undoubtedly necessary to a state, whose object is commerce, that the government should be in some measure free, at least with regard to security of property, and this for many reasons too obvious to be mentioned. Thus the ancient cities of Tyre, Car-

‡ Du Halde, vol. ii. p. 170.

thage, and Marseilles, were all of them free states, as the Venetians, Pisans, and Genoese were afterwards, and as the Dutch are at present.

Commerce has not only a general but a specific effect upon this article. It tends, in my opinion, to promote an aristocratical form of government.

The ancient republics, of which trade was the principal object, were of this kind. The original government of Carthage was by kings and a senate; much resembling that of Sparta, as we are told by || Aristotle and by * Polybius. Some share of power, also, was allotted to the people. In process of time it became aristocratical altogether.

The government of † Crete also, in the time of Aristotle, was nearly of the same kind with that of Carthage, with kings and a senate; the former of which were, in process of time, removed, and the government became aristocratical entirely.

Strabo ‡, likewise, tells us, that the government of Marseilles was aristocratical.

At present Venice and Genoa are well known to be aristocratical governments, and the United Provinces are a combination of separate states of the same kind. I apprehend, however, that a commercial aristocracy is of a peculiar nature, and very different from many governments that go under that name, even some that were formerly great commercial states.

Thus, I apprehend, that a commercial aristocracy is of the enlarged species, and consists of a numerous body of people. The numbers at Crete were not, I believe, settled; but it appears that

|| They had next, kings and a senate, much in the same manner and proportion with the Lacedæmonians.—Aristot. de Republ. l. ii. c. 11.

* There were kings in this government, together with a senate, which was vested with aristocratical authority.—Polyb. b. vi. extr. 3. ch. 2.

† Arist. de Rep. l. ii. c. 10.

‡ Strabon. l. iv.

every one, who had executed the office of the Cosmi ||, was admitted into the senate; and as these were ten in number, and annually elected, the whole body must have been pretty numerous. Another circumstance, also, which acted as a check upon the aristocracy in this government, was, that all the people of every rank had a right to be present at the assemblies of the senate, and to hear their deliberations, although they had no other power than that of approving those things that had been decreed by the Cosmi and the senate. The Carthaginian republic, in the time of * Aristotle, was constituted upon a model nearly similar to that of Crete, with kings and a senate, with still, however, some power reserved to the people at large. If the kings and senate agreed in any point, it was held to be sufficiently established; but if they disagreed, the people had the power of decision. In cases, also, where the people could not exert any actual power, as when the kings and senate coincided in opinion, the people, notwithstanding, even in their separate capacity as individuals, had a power of declaring their opinion, and of remonstrating against any law or proceeding; a circumstance that gave the people considerable influence in the state.

The supreme magistracy consisted, however, of one hundred persons, who were nominated by the council of five; who also elected one another: which circumstance, as Aristotle observed, tended to an oligarchical government; which was, indeed, as the same author remarks, the general bent of the constitution in his time.

It is, however, remarkable, that the corruption, both of the Cretan and Carthaginian governments, was not by declining either towards an oligarchical or despotic constitution, but towards a democratical one; which proved at least equally tyrannical with either of the others. The magistracies and public offices in Crete, ac-

|| Arist. de. Republ. lib. ii. c. 10.—Strabon. lib. x.

* De Republ. lib. ii. c. 11.

according to * Polybius, were constituted in a manner purely democratical. Now in his time, the government had declined much from its ancient constitution, and the manners of the people were highly corrupt. "If we consider," says † the same author, "the character and conduct of the Cretans, it is certain that scarcely an example can be found of any nation, in which the private manners of the citizens are more replete with artifice and fraud, or where the public enterprises are more unjust."

With respect to Carthage, the same writer observes ‡, that in the time of Hannibal, the Carthaginian constitution, which originally resembled the Roman, was now become much worse; for, as nature has assigned to every body, every action, and every government, three successive periods; the first, of growth; the second, of perfection; and the third, of decay: and as the period of perfection is the time in which they severally display their greatest strength, from hence arose that difference that was found between the two republics. For the government of Carthage, having reached the highest point of vigour and perfection much sooner than that of Rome, had now declined from it in the same proportion; whereas the Romans, at this very time, had just raised their constitution to the most flourishing and perfect state. The effect of this difference was, that among the Carthaginians, the people possessed the greatest sway in all deliberations; but the senate among the Romans. And, as in the one republic, all measures were deter-

* B. vi. extr. iii. ch. i.—In early periods, the Cretans were famous for the regard and attachment they bore to their country. When the ancients would express a people that bore a strong affection for their country, they were sure to mention the Cretans. "Our country," says Plato, "a name so dear to the Cretans." They called it by a name which signifies the love of a mother for her children. They always gave over all civil dissensions, and united, when attacked by foreign enemies; which was called Syncretism.

† Polyb. as above.

‡ B. vi. extr. iii. ch. 2.

mined by the multitude, and in the other by the most eminent citizens, of so great force was this advantage in the conduct of affairs, that the Romans, though brought by repeated losses into the greatest danger, became, through the wisdom of their counsels, superior to the Carthaginians in the war. For the same reasons, the war itself was better conducted by the Romans than by the Carthaginians. Danger united the former, and separated the latter: the former were all union; the latter all anarchy: the former comforted * and praised those generals who had fought bravely, though unsuccessfully; the latter † crucified the generals who had lost the battle, through the cowardice of the very people who presumed to punish them for it. But to return from this digression.

Marseilles, likewise, was an aristocratical government of the enlarged kind, and one whose constitution has been much admired, even by modern writers, particularly by ‡ Mr. Montesquieu. It || consisted of a council of six hundred, the members of which were elected for life, and taken from the inhabitants who had dwelt there for three generations, and who also had children of their own. Out of these were elected fifteen presidents, who presided at these meetings, and also formed a smaller council for the dispatch of common business. Lastly, out of these were chosen three others, who presided in the lesser council, and also formed a body themselves, vested with extraordinary powers, probably on account of secrecy, and to provide against sudden emergencies, like the Cosmi at Crete, and the Ephori at Sparta.

Venice, likewise, and Genoa, in the present age, are both very numerous aristocracies, as is Holland; which last is composed of a

* See in Livy and Plutarch the account of the reception of the consul Varro after the battle of Cannæ.

† Epitome Flori, l. xvii.—See also Appian on the Punic war.

‡ Sp. of Laws, b. viii. ch. 4.

|| Strabon. l. iv.

number of confederate states of the aristocratical kind, which are each of them very numerous, in proportion to the extent of the territory.

Another peculiar quality, as I believe, of a commercial aristocracy, is, that the magistracy is not hereditary, but either elected for a certain determinate time, as annually, or for life.

Thus * Aristotle tells us, that the Cosmi, at Crete, were elected for a limited time, probably annual; and the senators were elected for life, from the persons who had served the former office. But in the time of † Polybius, as the state inclined more to a democratical government, all the public offices were renewed every year.

The magistrates at Carthage, also, were an elective ‡ body, and for a given time only, annual perhaps, though some of them retained their power for a longer period than the others; which was the case with the Pentarchs, or council of five, who exercised authority for some time before they entered upon their office, and after they had quitted it.

The Timuchi, likewise, or council of six hundred, at Marseilles, were an elective body, though their jurisdiction lasted for life, as we are told by || Strabo. It is also said, that the legislative body, as well as the other magistrates, both at Venice and Genoa, was formerly elective.

The legislative, or rather political, part of the government of Holland, is in general elective; but the constitutions of the different bodies in this state vary exceedingly. In some, the magistrates elect one another; in others, the election is more enlarged; and in some, the hereditary nobility of the country have, as such,

* Aristot. de Republica, l. ii. ch. 10.

† Polyb. book vi. extr. 3. ch. 1.

‡ Arist. ut supra.

|| Strab. l. iv.

a voice in the election, as in Gelderland. But their number is not considerable, nor is their influence great.

Another peculiar circumstance belonging to a commercial aristocracy is, I take it, that the qualification to become members of the government is regulated by property, or at least, that every one, who has any share in the administration, is required to possess a certain * proportion of fortune or property. Whether any regulation of this kind subsisted in the Cretan government, I cannot determine; but, from the account given by Polybius, it is highly probable that it did, especially as it was in force in the Carthaginian state, which was established on a similar model. Polybius tells us, that the estimation of money, among the Cretans, was so great, that it was not only necessary, but highly honourable, to acquire it. And indeed, the desire of amassing wealth, and the habit of increasing it, were so deeply implanted in the very manners of this people, that they alone, of mankind, thought nothing sordid or dishonourable, that was connected † with gain.

There is, however, no doubt that a regulation of this kind was in force among the Carthaginians, the manners and principles of which people were very similar to those of the Cretans. Aristotle ‡ informs us, that it was the opinion of the Carthaginians, that the magistrates ought to be elected, not only on account of their personal merit, but their riches also; for they think it impossible that any one, whose private fortune is narrow, should rightly perform the functions of a magistrate, or indeed have leisure to attend to it. Hence §, at Carthage, riches were held in far greater esteem than virtue, and money was openly employed to

* This is mentioned by Plato de Republic. l. viii. as essential to a government of this kind.

† Polyb. b. vi. extr. 3. ch. 1.

‡ De Rep. l. ii. c. 11.

§ Arist. et Polyb. ut supra.

purchase the first dignities in the state, and even military commands; which circumstance Aristotle takes to be a mark of the constitution's changing towards an oligarchical government; but, as the same took place, in a still more remarkable degree, in the time of Polybius, when a disposition of a democratical kind evidently prevailed, it is probable that this was a mistaken opinion. It does not appear what the ancient constitution of Marseilles was with respect to this article. In later times, however, a certain qualification of fortune was necessary, in order to become a member of the legislature at † Venice, and, I believe, of Genoa. What the modern practice in Holland is, I cannot say.

S E C T. VI. *Influence of a commercial life upon religion.*

Commerce, as it is a cure for prejudices in moral or political, is so in some measure in religious opinions. The diffusion of the knowledge of the manners and customs of all nations, which it produces, and the comparison of these with one another, are great enemies to bigotry and to superstition. Hence trading nations are mostly rational in their religious opinions, and averse to bigotry and superstition. I am apt to believe that the spirit of trade and commerce was no inconsiderable cause of the reformation, both in the Low Countries, Germany, and Holland.

Commerce inspires and communicates a degree of knowledge, and a spirit of enquiry after more; which is incompatible with the gross ignorance that usually attends bigotry of the religious kind. Still more adverse is commerce to a persecuting spirit. Trading people, in the nature of their employment, are obliged to conform in part to the wills, caprices, and prejudices of others

† Mod. Univ. Hist.

in almost every transaction. This gives them a habit of accommodating themselves to circumstances, and of not expecting an uniform compliance from other people ; to which their knowledge of mankind, and of the difference of opinions, tenets, manners, and principles that prevail among them, does not a little contribute.

The desire of acquisition, likewise, which is a powerful motive in commercial societies, prevents their laying much stress upon speculative principles, or their thinking them of great importance, at least in a civil light. Hence, as commerce has increased in Europe, persecution has abated : and in those countries where trade is most encouraged, as in Holland and England, there is the most universal toleration ; whilst, on the contrary, Spain, Portugal, and some of the Italian states, who have but little commerce, and that of a disadvantageous kind, are still immersed in ignorance and superstition, and retain a violent spirit of bigotry and persecution.

CHAP. V.

ON THE EFFECTS OF LITERATURE AND SCIENCE.

LITERATURE, though it cannot be said to form an employment for the people in general, as the ways of life above described, produces, even when introduced among a part of them only, the most important consequences to society in general.

SECT. I. *Effects of Learning and Knowledge on the temper and disposition.*

One of the first effects of the introduction of science, upon the temper and disposition, is to increase the sensibility. I have
before

before spoken of a great degree of apathy, as accompanying people in a rude state; which was probably owing, in part at least, to the want of the opportunities that science affords for the exercise of the sensible faculties. As knowledge is increased, so are the objects that awaken the mind and excite the passions; we acquire a habit of feeling, from exercise, and learn to distinguish the circumstances and points to which this affection should be directed.

Hence an improved state of mankind is favourable to love and to the tender affections; such as friendship. These sensations were in high perfection among the ancient Greeks, though their system * of benevolence was not very extensive. It is owing to the influence of true religion that we are led to entertain an universal regard for mankind, of whatever country, place, or denomination. Another effect of learning and knowledge is to render people calm and recollected in all the circumstances of life; a thing highly advantageous in the transaction of human affairs. This may seem opposite to the quality last mentioned, but is, in reality, very compatible with it. The variety of objects presented by knowledge, habituates the mind to impressions, and causes it to be less affected by any one in particular; it teaches us to expect, beforehand, many of the circumstances which happen in life, and thus lessens the agitation the occurrence would occasion, by preparing us for the event.

* Antoninus seems to have been almost the only one of the ancient philosophers that possessed the truly liberal sentiments of universal benevolence. "Whatever," says that excellent man, "suits the world in general, suits me also. Nothing is too late or too early for me, that is adapted to the benefit of mankind: every product is seasonable that is directed by nature, from which all things are derived, in which all things are, and to which all things must return. He that testifies his regard for the city of Cecrops, might express himself with more propriety if he substituted in its place the city of God."—Lib. iv. § 23.

I imagine it was from this habit of bearing every occurrence without emotion, that the observation was drawn concerning the patient endurance of sickness and pain, for which several of the ancient sages were so remarkable. This was the great boast of the Stoic * philosophy, and not without reason; though they carried this doctrine to an extravagant length, and, instead of instructing people to bear the ills of life, vainly pretended to rank them as things merely indifferent. It is, however, necessary to remark, that this philosophic courage and resolution was mostly of the passive kind. This appears to have been the tendency of the Stoical doctrines, which rather instructed their disciples to bear than to act: which is also remarked by Cicero to be an effect of philosophy in general. "Many people," says that great man, "have bravely exposed themselves, and endured wounds, through the desire of glory or of victory, or in the defence of their rights and liberty. But these same persons, when the contest was at an end, could not bear the trouble of disease: for what they had endured so freely, was not suffered from a principle of reason, or the dictates of wisdom, but merely from strength of passion and the love of glory. This is the case with some barbarous people, who fight desperately in the field of battle, but cannot bear the pains of sickness in a resolute manner. The Greeks, on the other hand, have but little active courage, and can scarcely bear the sight of an enemy; but being sufficiently prudent and well-informed, as indeed is the general disposition of that people, they bear disorders in a patient and manly manner.

The Cimbri and Celtiberi, on the contrary, triumph and exult in battles and danger, but are subdued by † disease.

* Epictetus, in every part of his works, but especially book iii. ch. x. § 18, 24. book iv. ch. 10.

† Tusculan. Quæst. lib. ii. § 107, 109.

Another effect of the introduction of science, is to take off that arrogance and self-sufficiency that usually attends ignorance, and to render people modest, and diffident of themselves. This is commonly observed of individuals, and is no less true of nations considered collectively. Thus the insolent pretences to an acquaintance with the occult sciences, and universal knowledge, which, in the days of ignorance, were so common in Europe, are now heard no more than if such attempts had never existed; and these daring impositions on the understanding are confined nearly to the profession of medicine; a circumstance which, though partly arising from natural causes, reflects no great honour on the liberal professors of that science.

Every one that is conversant with knowledge will immediately see how naturally this effect is produced. Such a portion of information, as can be attained or comprehended by the human understanding, is little more than a distant prospect of a country we cannot hope to reach; or, as the poet * elegantly expresses it,

“ 'Tis but to know how little can be known;
“ To see all others' faults, and feel our own.”

As knowledge, therefore, tends rather to depress than raise our opinion of the extent in which we possess it, it should contribute to diminish the value we set upon ourselves. It must, however, be acknowledged, that several nations, in a high state of improvement, have been, at the same time, extremely vain and arrogant, from the pre-eminence which this superiority in knowledge was supposed to bestow. Thus the Greeks and Romans distinguished every other nation by the appellation of barbarians; and even some whose † advances in science were by no means inconsiderable. It is, in some measure, to the credit of modern times, that those na-

* Pope's Essay on Man.

† Xenophon, in the Expedition of Cyrus, repeatedly calls the Persians by the name of Barbarians.

tions, who have cultivated to the highest degree the faculties of the mind, have not set so immoderate a value on those qualifications, but admitted a proper degree of merit to those who were, in this respect, inferior. Several causes concur to produce this difference. First, knowledge, in the present age, is much more diffused than it was formerly, and scattered among several rival nations, who are nearly on a par with one another; consequently, as none has any decided superiority, as was formerly the case, none pretend to any arbitrary decision on the comparative merits of other nations. Besides this, the more general diffusion of learning, that prevails at present, has caused it to be much less an object of admiration than formerly; and though its being better known and understood has certainly increased its real utility, it has deprived it of that blind regard that was paid to it when confined to a few people.

The improvement, likewise, of science has increased our acquaintance with the real state and character of other nations, and let us understand, that ignorance, as well as knowledge, may easily be over-rated; and that such a proportion of the latter, as is necessary for most of the purposes of life, is much less unequally distributed, than the vanity of some of the learned would persuade us to believe.

I am also inclined to think, though I here speak with great reserve, that the nature of the ancient literature disposed that people to set a higher value upon it, and of consequence to despise those who did not possess it, more than is the case at present.

The literature of the ancients was, I take it, principally conversant in matters of taste and genius. Poetry, history, ethics, and the elegant embellishments of society, formed their principal studies; and these they carried to as great a pitch of improvement, as is perhaps possible for the human mind to reach. But astronomy, optics, several branches of the mathematics, and of natural philosophy, particularly pneumatics and hydrostatics, the
power

power of numbers, &c.—which, at the same time that they add to our knowledge, make us sensible of the smallness of its extent—were little understood, and far from being generally cultivated. As the ancients, therefore, applied to studies, which they improved to a great degree, and which, being rather matters of sentiment than reason, were not equally examinable by strict rules—so that their imperfections could not be absolutely manifested, or any field for future discovery pointed out—it is not extraordinary that they should think themselves near to perfection. But modern discoveries, in the branches before mentioned, serve chiefly to disclose how small our present knowledge is, and how much is unknown. As the learning, therefore, of the ancients, though more confined in its extent, appeared to be more perfect in its way (possibly from its defects not being so capable of proof) than the modern; and as there was a greater difference between them and their neighbours, than is the case at present; it is not extraordinary that they should set a high value upon it, and upon themselves for possessing it.

The high degree of refinement, likewise, to which the ancients had attained, both in taste and sentiment, contributed not a little, I imagine, to render them arrogant, and presuming upon their own merit. This, though, as I believe, an almost natural consequence, in the revolution of human affairs, of the introduction of literature, is far from being the stage of perfection, and rather marks its decline.

Great refinement, from the tendency it has to represent perfection as unattainable, is apt to discourage attempts to aspire to it; which, by limiting the bounds of the mental faculties to that pitch which those who possess that delicacy of taste think they themselves have reached, tends to raise their opinion of their own merit, as they think that they are in no danger of being exceeded by any competitor.

Another

Another effect, as I apprehend, of literature, is the rendering those among whom it is introduced active and industrious. It is an old remark, that ignorance and idleness are generally found united; which we have seen verified in some of the states of mankind above described: and the reverse is no less true. The most informed and learned people, of whom we have any account, were extremely busy about employment. This was the case with the Athenians particularly; and also with the Romans and Egyptians formerly; and is equally true at present of the English and French, who are much more active and industrious than they were in the days of ignorance.

Perhaps, however, the good effects of science, in animating the spirit of activity and exertion, are most remarkable in Russia; which, from a state of supine sloth and ignorance, has been roused to efforts, both of mind and body, which have astonished Europe, and left a most useful lesson to posterity, that no people are in a situation so barbarous or savage, that the well-directed attempts of their rulers may not reform and civilise. The present wise empress of that country is so sensible of this effect of literature and knowledge, that it has been her principal object to diffuse them by the most judicious methods; such as proper modes and systems of education and instruction of youth: trusting that these means would be the most efficacious to subdue the ferocity and barbarity of the people.

It is easy to conceive how learning, by opening a field for improvement, and by stimulating curiosity—perhaps, in some instances, the most powerful passion in the human breast—should excite industry and activity of disposition. This is its true, proper, and genuine effect.

It must, however, be acknowledged, that several persons, highly eminent for literary abilities, have expressed the greatest fondness for leisure and retirement, and spoken of them as the object of their

their wishes. Thus * Virgil describes himself as at the summit of happiness, when indulging himself in a rural retreat. Horace, although † so great a friend to cheerfulness, and, on many occasions, to company, frequently expresses his affection for a country life; and the author of the treatise on Oratory ‡, ascribed to Tacitus or Quintilian, speaks of a recess of such a kind as absolutely necessary to inspire poetical ideas. Similar situations are also described in that work as favourable to other parts of literary science, and even to some branches more immediately connected with society, as eloquence. Later writers have adopted or imitated these sentiments. Cowley's wish was to bury himself in a deep retreat. Pope always speaks of a retired life as the object of his desires. And Gray, Shenstone, and Mason, have all of them adopted the like sentiments.

But we may observe hereupon, that there was, in almost every person, who has expressed a wish of this kind, somewhat peculiar

* *Rura mihi & rigui placeant in vallibus amnes,
Flumina amem silvasque inglorius.*

Georgic. lib. ii. l. 485, 486.

*Illo Virgilium me tempore dulcis alebat
Parthenope, studiis florentem ignobilis otii.*

Georg. lib. ii. l. 563, 564.

† *Carmin. lib. i. od. 7. & 17. Lib. ii. od. 6.—Epod. od. 2.*

‡ *Adjice quod poetis, si modo dignum aliquid elaborare & efficere velint, relinquenda conversatio amicorum, & jucunditas urbis; deferenda cætera officia, utque ipsi dicunt, in nemora & lucos, id est in solitudinem, recedendum est. — Taciti, Orator. cap. ix.*

Nemora vero & luci, & secretum ipsum quod Aper increpabat, tantam mihi afferunt voluptatem, ut inter præcipuos carminum fructus numerem, quod nec in strepitu, nec sedente ante ostium litigatore, nec inter sordes & lacrymas reorum componuntur, sed secedit animus in loca pura atque innocentia, fruiturque sedibus sacris. Hæc eloquentiæ primordia; hæc penetralia: hoc primum habitu cultuque commoda mortalibus, in illa casta ac nullis contacta vitiis pectora influxit. Sic oracula loquebantur.—Ibidem, cap. xii.

either in the nature of his studies or situation in life. Poetical pursuits naturally lead to great refinement of taste and sentiment; and the sensibility of feeling, thereby promoted and encouraged, is almost necessarily connected with a degree of indolence; which, as well as the pride attendant on a refined taste, is flattered by a retreat, not altogether from the society, but business of the world. On this account, I imagine, it is, that poets have most frequently expressed desires of this sort.

Several persons, likewise, of quick sensibility, have made choice of this way of life as a vent for their disappointment, in their abilities not being, as they thought, sufficiently regarded in public life. Of this kind was Cowley, among our own countrymen; and, I believe, several others, who have professed the same sentiments. The expressions, therefore, of people under such circumstances, must be regarded rather as the effusions of discontent, than any real preference given to a life of retirement.

Others have expressed their regard for a country retreat, on account of the security afforded by its privacy. This was the reason of this choice among several of the Romans, after the destruction of the commonwealth. They were there free to indulge those sentiments which their own education, and the example of their ancestors, had suggested; which, if publicly avowed, could only have endangered themselves, without affording any real service to their country. One of the accusations of Lucan was on account of the zeal for liberty, expressed in his poems; and Cremutius Cordus was sacrificed, for having, in his Annals, called Cassius the last of the Romans.

A retreat from the world, therefore, to men of virtue and feeling, in such a situation, was a natural object of desire, not only on account of the safety it promised—which, however, in those days of jealousy, caprice, and cruelty, obscurity did not always yield—

yield—but likewise * to turn their eyes from the miseries of their country, as well as to avoid the contamination of the profligate manners that prevailed at that time in public life.

A retirement of the rural kind, must have had peculiar charms for the people of rank and education about that period. Agriculture, though it had long been practically neglected, was still looked upon with a kind of speculative admiration, as connected with the ancient virtue, freedom, and greatness of the republic. The country naturally suggested these melancholy but pleasing memorials, which they were always fond of recalling to their minds; and I doubt not that these ideas, thus privately fostered, were no inconsiderable cause why many instances of ancient virtue and magnanimity remained among that people, even to the most degenerate periods.

We must not, however, imagine, that when the ancients speak of literary retirement, they always understand a retreat from business, or the concerns of life. Cicero ‡ professes his fondness for a retreat of this kind; but this eminent person never meant to withdraw from public business, and intended only to say, that it was highly agreeable to spend those hours of leisure, which nature required from active employment, rather in literary pursuits, than in idle amusement or inactive indolence. He did not ascribe that false importance to literature, of being a business of life, but considered it rather as a || relaxation from the fatigue of public affairs.

* This motive is alledged by Sallust as the cause of his retreat from public life.

Igitur ubi animus ex multis miseriis ac periculis requievit, & mihi reliquam ætatem a republica procul habendam decrevi; non fuit consilium socordia atque desidiosa bonum otium conterere: neque vero agrum colendo, aut venando, servilibus officiis intentum ætatem agere: sed a quo incepto studioque me ambitio mala detinuerat, eodem regressus statui res gestas populi strictim, uti quæque memoriâ digna videbantur, perscribere: eo magis, quod mihi a spe, metu, partibus reipublicæ animus liber erat.—Sallustii, Bell. Catil.

‡ Quid est dulcius otio literato.—Tusc. Quæst. lib. v. § 149.

|| Pro Archiâ poetâ.

In this way he himself wrote his literary works : thus Cæsar wrote his Commentaries : this was the exercise of Scipio Africanus, Brutus, and the younger Cato : and this circumstance of the mode of employing their leisure time is very properly adduced, by a * modern writer, as a proof of the superiority of character of the Roman worthies over some moderns, with whom they have been compared.

In after times, indeed, when any interference in political affairs became dangerous, and the field for the exertion of public abilities was much narrowed, literature and retirement became more intimately connected. But even then, some writers ventured to discourage this kind of literary indolence. Epictetus † speaks of a confinement to books only, as a miserable state, and little better than non-existence, and considers the amusement procured by mere reading ‡ as a contemptible object, and only tending to make those who practise it insignificant and miserable.

* Mr. Hume.

† Lib. iv. ch. 4.

‡ Milton, who was a notable instance of great activity, joined with the highest abilities, entertained a similar opinion of inactive study.

————— Many books,
Wise men have said, are wearisome ; who reads
Incessantly, and to his reading brings not
A spirit and judgment equal or superior
(And what he brings what need he elsewhere seek ?)
Uncertain and unsettled still remains,
Deep versed in books, and shallow in himself,
Crude or intoxicate, collecting toys
And trifles for choice matters worth a sponge,
As children gathering pebbles on the shore.

Parad. Reg. b. iv. l. 321, &c.

S E C T.

S E C T. II. *Effects of learning and arts upon the manners.*

The next question is of the utmost importance, which is, to determine the effects of the introduction of knowledge upon the manners of mankind.—And first with respect to the moral character.

Letters and arts may be presumed to be favourable to morality on the following accounts :

First, as they instruct people in the uses and advantages of society.

Next, as they abate the ferocity of manners and behaviour, and introduce a sense of decorum and propriety into men's actions and conduct.

Next, as they improve the understanding in general ; as they destroy pernicious prejudices, and render the mind capable of reasoning, and impart a habit of calmness, candour, and reflection.

Next, as they furnish men with the means of employment, and with an honest method of gaining a livelihood.

Next, as they improve the laws and police, and cause them to be respected upon just and rational grounds. When the clouds of ignorance, says Mr. Beccaria, are dispelled by the radiance of knowledge, authority trembles, but the force of the laws remains immovable.

Next, as they promote liberty, and the rights of mankind ; a thing always favourable to human happiness, in every light and capacity.

Lastly, as they tend to impart just and rational ideas of religion.

Such are the reasons which induce me to believe that the improvement of the understanding is favourable to the interests of virtue and morality. Nevertheless a celebrated writer, whose capricious and eccentric, though strong and elevated genius, sometimes led him to support paradoxes, the illustrious John James

Rouffeau, has fupported a contrary opinion, and, with no fmall affiftance from the thing he condemns, adduces feveral fpecious and plaufible arguments to prove, that learning and the arts are adverfe and even destructive to the moral happinefs of mankind. As this treatife is well known, and has had confiderable influence with many perfons, I fhall confider it more particularly. It is difficult to feparate the argumentative part of this performance from the declamatory, that accompanies it throughout; but this I fhall endeavour to do as candidly as poffible, as I have no intention to mifreprefent the author's meaning.—One of the firft effects which this author afcribes to letters is, I apprehend—for his meaning is not very clear—the destruction of liberty. This effect, indeed, might be more properly confidered in another place; but as thefe circumftances are connected with manners by the author, and as I wifh to confider all his arguments together, I fhall fpeak of it here.

“ Whilft government, and the laws, fays he, contribute to the fecurity and happinefs of the community, arts, fciences, and letters, lefs defpotic, though more prevalent perhaps, difguife, with an artful wreath of flowers, the iron chains with which they come prepared to bind mankind. They conceal the real fenfe of that original liberty of which they are heirs apparent, teach them to be enamoured of their chains, and thus entice them to become what we are pleafed to term a polished people. The firft instances he brings to prove the influence of cultivation of manners and improvement, in reducing mankind to a ftate of fervitude, is that of Alexander's obliging the Icthyophagi to renounce their * fifhery, and to be content with the ufual food of the reft of his fubjects.

What might be the intention of Alexander, in thus changing the

* Plutarch, Quintus Curtius, Diodorus Siculus, and Arrian, the two laft of whom have given a minute account of the Icthyophagi, never mention this prohibition of Alexander. It is only related by Pliny, in his Natural Hiftory.

diet of these people, is, perhaps, impossible for us, at this distance of time, to determine with any certainty. His first design was, undoubtedly, to civilise them; a thing which was the object of his ambition, as much as conquest: and that this was really doing them a service, no one that is acquainted with their history can doubt. It is extraordinary, that a man of Mr. Rousseau's penetration should thus mistake an extreme degree of savageness for liberty.

In a political light, indeed, such a people might be said to enjoy a high degree of freedom, as they were not subject to any government at all; but in a civil view, how can a man be said to enjoy liberty, who has no one to whom he can appeal for protection? Such a state, instead of freedom, is in reality only the government of force, wherein the strongest prevails; a doctrine avowed by many nations, in the condition so much admired by Mr. Rousseau, as a rule both of political and civil conduct.

Brennus † told the Romans, “that the Gauls had a right to the territory of the Clusians by that most ancient of all laws, which gives the possessions of the feeble to the strong; for so it is,” said he, “from God himself down to the beasts, nature teaching all these, that the stronger is to take advantage of the weaker.”

“Among the Tartars, says the writer of their history, there is no administration of civil justice, for every man takes from another what he wants, without any fear of censure from the law. If any complaint of this violence be made to a judge, the accused replies in excuse, that he himself was in want of that of which he deprived the other. The judge then tells the injured person to take from others what will supply him with what he wants.” Such is the liberty which Mr. Rousseau supposes to prevail in this state; and it is highly probable, that Alexander, by civilising, or even by conquering them, would rather add to than diminish their liberty.

† Plutarch's Life of Camillus.

The next instance that Mr. Rousseau adduces is of the American Indians, "who have," as he says, "preserved their liberty entire, and have never yet been conquered." This is hardly true, as they have been obliged to quit a large tract of land, and are much diminished in power and numbers; and the preservation of their independence, at present, is owing more to the nature of their country, full of woods and marshes, and to the little temptation such a people offer to an invader, than to their own efforts.

Another example that this writer brings, of the destructive tendency of arts and sciences to virtue and to freedom, is taken from Egypt.

"Look," says he, "on that first seminary of the world, that fertile clime, beneath a most propitious heaven, whence Sesostris of ancient times issued to the conquest of the world. She became the parent of philosophy and the arts and sciences—next the victim of Cambyfes—since of the Greeks, the Romans, and the Arabs—at length a wretched prey to the Turk."

That Egypt, in common with other countries, has undergone numerous revolutions, is certain from history; but that these misfortunes, if they were really such, arose from their cultivation of science and arts, is not so clear; certain it is, that the æra of their liberty and prosperity was the same with that of the perfection of arts and science, and that the decline of the one accompanied the downfall of the other. Indeed, the Egyptians, as I have formerly remarked, preserved a degree of liberty long after the rest of the world had been subdued under the Roman yoke. They retained several important privileges in the time of Strabo, and are mentioned as a free people in a letter of the emperor Hadrian, preserved by Vopiscus. The total subjugation of that country was compleated, not in the flourishing state of literature, but in that of ignorance, darkness, and superstition; nor does it seem at all probable that liberty will ever revisit them, until the clouds
that

that have obstructed science be removed. The people there at present are as ignorant as Mr. Rousseau can wish, but they are not, according to his system, virtuous and free; nor does it appear, that the burning of the Alexandrian library, and the destruction of science by the Arabs, which Mr. Rousseau so much applauds, contributed to establish any of those independent and great sentiments of public and private virtue that he would expect. The ancient Egyptians were moderate, diligent, humane, just, pious, and free: the modern Egyptians are rapacious, idle, cruel, unjust, bigotted, and slavish: the former was the æra of learning, the latter that of ignorance.

Greece is the next subject on which our author exercises his declamatory eloquence, "Behold," says he, "that once-glorious nursery of heroes, which twice had conquered Asia, first before Troy, and afterwards at her own doors. The fatal birth of letters had not as then sown corruption in the breasts of her sons: but the progress of the sciences, the dissolution of the morals, and the Macedonian yoke, followed, alas! too soon; and Greece, knowing, voluptuous, and enslaved, experienced no other revolution than her change of masters. All the eloquence of Demosthenes availed not to reanimate the body enervated by luxury and the arts."

But I believe it will be found, that the æra of perfection of letters in Greece was the same with her flourishing condition. Herodotus, Thucydides, and Xenophon, lived at the most glorious periods of the Athenian republic; and it is remarkable, that those who were the most famed for great talents, and the cultivation of them, were most active in support of the commonwealth. Thucydides and Xenophon were both of them consummate generals; Pericles had, besides this qualification, that of a most able statesman; and Demosthenes employed his great talents in endeavouring to ward off the Macedonian yoke. Phocion likewise, perhaps one of the greatest as well as best men upon

historical record, not only spent his life in the service of his country, but fell a martyr to its liberty.

Another circumstance, which forms a strong presumption that letters are not adverse to freedom, is, that their flourishing state, and their decay, in Greece, respectively kept pace with that of freedom. They had begun to decline in the days of Phocion; and Demetrius Phalereus, his contemporary, was, according to * Cicero's and † Quintilian's judgment, the last that could be called an orator.

The ruin of Rome, that great metropolis of the world, is also dated, by this writer, from the introduction of arts and science: and that some belonging to that state, whose abilities might have been employed to better purposes, prostituted them to the corruption of mankind, is but too true; but it is scarcely candid to collect the evils that have been derived from learning, if we do not at the same time enumerate the advantages that have flowed from it. Liberty, civil laws, republican government, and even religion itself, have, at times, been productive of dreadful calamities. But the true state of the question with learning, as with these, is, not to know whether a certain individual, or a certain society, had

* Hæc enim ætas effudit hanc copiam, et ut mea opinio fert, succus ille, et sanguis incorruptus usque ad hanc ætatem oratorum fuit, in quâ naturalis inesset, non fucatus nitor.

Phalereus enim successit eis senibus adolescens, eruditissimus ille quidem horum omnium, sed non tam armis institutus, quàm palæstrâ: itaque delectabat magis Athenienses, quam inflammabat: processerat enim in solem, et pulverem, non ut e militari Tabernaculo, sed ut e Theophrasti doctissimi hominis umbraculis. Hic primus inflexit orationem, et eam mollem teneramque reddidit: et suavis, sicut fuit, videri maluit, quam gravis: sed suavitate ea, qua perfunderet animos, non qua perfringeret: et tantum ut memoriam concinnitatis suæ, non (quemadmodum de Pericle scripsit Eupolis) cum delectatione aculeos etiam relinqueret in animis eorum, a quibus esset auditus.—Cicer. de clar. Oratoribus, §. 18.

† Is primus inclinasse eloquentiam dicitur—ultimus est fere ex Atticis qui dici potest orator.—De Instit. Orat. c. x. §. 1.

better

better have no learning, or abuse what they have; but to know which is better, that science and knowledge should be sometimes abused, or that there should be no such thing among mankind.

But in reality, the mischiefs arising from science and literature, even among that people, were much overbalanced by the service they afforded to virtue.

If Catullus and Ovid, Martial and Petronius—the last of whose existence as an author, in the works ascribed to him, is more than suspicious—have in some of their writings (which indeed, the last excepted, form but a very small part of their works) contributed to the corruption of morals, have not others been of service in stemming the baleful tide? Was the philosophic virtue of Seneca of no advantage to the world, by the precepts he delivered, and the death he suffered for his adherence to them? Was the fire of liberty that glows through the pages of Lucan, and the illustrious examples of merit he has so eminently recorded and adorned, of no efficacy in exciting mankind to imitate such bright examples of public virtue? Was the indignant disdain of Persius, or the boundless rage and ardent eloquence of Juvenal, bestowed in vain, in checking the audacious vices engendered by luxury and corruption? Was the pen of Tacitus employed without advantage to morality and the cause of virtue? Did his strength of colouring, his ardent yet expressive description, his force of epithet, and his emphasis of language—all employed in the cause of virtue and of liberty—conduce nothing to retard the torrent of degeneracy that was then gaining ground? If the works of these writers cannot, even at this distant period, be perused by any but those whose hearts are, by being long hackneyed in the ways of vice, grown callous to every virtuous impression, without raising sentiments of disdain and indignation against the objects of their censure, what must have been their effect, when the facts were recent, and the persons publicly known? That this is not mere

matter of probability, with respect to the effect of the writings in defence of virtue among that people, we have from the testimony of an author * whose evidence is indisputable.

Perhaps, however, the good effects of literature and philosophy may be most conspicuous in their influence on the princes that governed mankind, about that period of time. Nero, whilst he listened to the precepts of Seneca, was the delight and admiration of human nature, and it was not until the death of that martyr to public virtue, that he launched out into those excesses, which rendered him equally an object of contempt and detestation. The benevolent and wise Trajan was the disciple of Plutarch : and his sage precepts are, with great probability, thought to have had no small influence in the formation of the amiable character of that great emperor. It was not surely for nothing that Antoninus became acquainted with the philosophy of Socrates and Plato, as his whole life was a comment on the virtues recommended by them. After all, it must be confessed, that the tide of wickedness and corruption, then prevalent, was too strong for the opposition that learning, confined to few, and those not the most popular characters, was able to make. But we must not condemn those who laboured, however unsuccessfully, in the cause of virtue, as the occasion of her downfall. If science and literature resisted the inroads of vice, and at least retarded her progress, they are surely entitled to our regard, and ought no more to be accounted the causes of the corruption of manners, which they were not so happy as to prevent, than Brutus and Cato should be deemed the subverters of the Roman liberty. It is indeed true, that the elder Cato is said to have been very adverse to the Greek literature, and opposed much its introduction into Rome, prophesy-

* Ense velut stricto quoties Lucilius ardens
Infremuit, rubet auditor cui frigida mens est
Criminibus, tacitâ sudant præcordia culpâ.

Juvenal. Satyr. I. ad finem.

ing, "that the Romans would certainly be destroyed when they became infected with Greek." "Time, however," says Plutarch, "has sufficiently shewn the vanity of this wayward prediction; for Rome never attained to a higher pitch of glory and power, than when the Grecian literature flourished there, and every kind of learning was in high estimation." Indeed, the study of the Greek language, to which * Cato is said to have applied himself in his old-age, is an evidence, that this great man had altered his sentiments, in some measure, concerning the Grecian literature. But it was not, in all probability, the introduction of the Greek learning, but of the Greek philosophy, that Cato opposed. The first specimen that the Romans had of this, was brought over by Cineus in the time of the Tarentine war, and happened to be of the Epicurean kind, who taught people "that the † chief end and happiness of man consisted in pleasure; who avoided all offices and employments in the state, as so many bars to that pleasure; and ascribed to the Supreme Being neither love nor hatred, maintaining, that it was perfectly regardless of man, and all human affairs, and confined to an inactive life, where it spent whole ages in the full enjoyment of all sorts of delight." This doctrine, so opposite to the sentiments of that brave, active, and virtuous people, excited in them the highest contempt and abhorrence: "O Hercules," said Fabricius, "may Pyrrhus and the Samnites espouse this doctrine as long as they are at war with the Romans!" That sagacious as well as worthy patriot immediately perceived the pernicious tendency, as well as impiety, of such tenets; and it is by no means improbable, that Cato might be inclined to reject whatever was introduced from the same quarter, on the suspicion of its containing similar opinions and principles. The sentiments of that great man, relative to this

* Life of Cato the Censor.

† Plutarch's Life of Pyrrhus.

philosophy, were afterwards verified by experience in the Roman state. Mr. Montesquieu * observes, that the sect of Epicurus, which began to be propagated at Rome towards the close of the commonwealth, was very prejudicial to the minds and genius of the people. The Greeks had been infatuated with its doctrines long before, and consequently were corrupted much earlier than the Romans. We are assured by † Polybius, that oaths, in his time, could not induce any person to place confidence in a Greek; whereas they were considered, among the Romans, as matters of inviolable obligation upon his conscience. This idea is attributed, by that wise historian, to the belief of a future state, which was established among the Romans, but made no part of the philosophy of Epicurus.

After all, it must be confessed, that learning and science have often been perverted to the worst purposes; and have in several instances conduced to heighten the corruption of which we are now speaking. But the abuse of these qualifications is no argument against their use. The sight, hearing, speech, and use of the limbs, are all capable of being employed to unworthy purposes; which is, however, no reason why we should deprive ourselves of these faculties, or not make advantage of our possessing them: no more than, because iron may be forged into instruments for the destruction of mankind, we should forbear to make use of a spade or ploughshare. We may condemn and lament the use to which learning is applied; but can never justly charge the occasion of it upon science, which, far from recommending, censures such practices. It has been the fate of Literature, as well as of religion, to be accused of promoting vices which her precepts tended most strongly to discourage. When these effects, however, occur, we may reasonably say, that it is not the liquor, but the vessel itself, that is corrupted.

* Grandeur and Decline of the Roman Empire, ch. x.

† Polyb, lib. vi.

Constantinople, the celebrated metropolis of the eastern empire, falls next under Mr. Rousseau's consideration; and it must be confessed, that the picture he has drawn of its condition is not less just than melancholy. But why should we ascribe the treasons, assassinations, poisonings, and other atrocious crimes that were there combined to compose the history of that period, to the learning which prevailed there? Indeed, the contrary appears in reality to have been the case, as the emperors who shewed the greatest attention to literature, and to learned men, were those under whom the empire seemed to regain new life, and to flourish. The decline of learning here, as well as at Rome, is also very observable in keeping pace with the decay of manners, instead of the arts and sciences improving with this corruption, of which it is suggested they are reciprocally the cause and the effect: and it is worthy of remark, that scarcely any author of eminence appeared during that period which Mr. Rousseau describes as ruinous to manners, from the too great prevalence of learning and the arts.

China is the next instance which our author has selected to prove his favourite point; but in this instance he has wholly mistaken, or misrepresented, the character of the Chinese. He says, that "letters are there in such estimation, as to become the sole channel to the first dignities in the state." But if we examine this boasted learning, we shall find, that they have no great reason to be proud of it, as it is little more than the knowledge of reading and writing; qualifications, surely, not very extravagant, to be expected from those who are at the head of the state.

Du Halde tells us, that the few books written in the Chinese language, are almost altogether on the practical part of agriculture, on government, the practice of morality, industry, and rules of behaviour; things, indeed, highly useful, but of a distinct nature from science and learning. They have scarcely any poetry, that may be so called; little knowledge of mathematics, still less of geography, and very little of astronomy. If letters, therefore, have been the occasion of the corruption he describes, great indeed must have been
been

been their baleful influence, when so small a portion, and that distributed among so small a number, could work such pernicious effects.

But our author's account of the depravity of the Chinese is very much exaggerated. It is not true, "that there is no vice to which they are not addicted; no crime with which they are not familiar." That they are devoted to interest is true, as well as that they are given to some kinds of deceit. But this disposition arises, in some measure, from their situation and circumstances, and does not exclude several national virtues. Thus the Chinese are industrious and frugal, and have an extreme respect for parents; a thing scarcely ever found among a highly-corrupted people. Their laws are mild and equitable; their punishments few, and those not rigorous; they never confiscate property; the greatest attention is paid to impartiality in judicial decision, and to uncorruptness in the judge. The government resembles the laws, being founded on the idea of paternal authority. It is an innate principle with them, that the whole state is one great family, and that the prince ought to have the same regard for his subjects, that the father of a family has for his children; and that he ought to rule over them with the same tenderness and affection. This idea is impressed naturally on the minds of all the Chinese. They judge of the merit of the prince, and of his talents, from his paternal affection to his people, and by the care he takes to let them feel its good effects, in the promotion of their happiness. He is called the parent of his people. He is only feared in proportion as he is respected for his goodness and virtue. These are the portraits they draw of their great emperors; and all their books are full of the same maxims. Nor is public virtue so rare in China, as might be expected from the interested character of the people. If any prince abuses the power with which he is intrusted, the * Mandarines have a right to represent to him the consequences of his con-

* Du Halde, vol. ii. p. 15.

duct;

duct; and although several princes have been so ill advised as to punish them for the use of this privilege, it still has not prevented its being practised, even to those monarchs who have most severely opposed it. Many martyrs of this kind are to be found in the Chinese histories. Surely this description does not suit a people addicted to every vice, and destitute of every virtue.

Persia is next introduced, and is a subject of our author's admiration, as being, he says, the only people who have attained the honour of having their institution pass for a philosophical romance. But I apprehend that the learned are induced to doubt the authenticity of the narrative of Xenophon's *Cyropædia*, for other reasons than the exalted virtues he ascribes to that people †. Herodotus, who was well informed in the manners of the antient Persians, tells us, that they were given to strong liquors, and addicted to detestable vices; and Xenophon's character of the same people, in his own time, by no means accords with his description of them at a former period. Now, the immutability of the manners and customs of that country is a strong argument that his account of the exalted virtue of that people in former ages was merely fictitious, especially as he cites no authorities, and his relation does not agree with other historians.

Nor is the character of the Scythians so much a pattern of imitation as this author would persuade us.

They appear to have resembled the barbarous nations who invaded the Roman empire, who were, indeed, probably, the descendants of that people. The Scythians were, according to the ancient ‡ accounts, a cruel and savage people, given both to superstition and to contempt of the Gods; much resembling the present Tartars, of whose moral qualifications I have before spoken.

The ancient Germans, indeed, afford a more extensive field for

† Book i.

‡ Herodotus, book iv.—Hippocrat. de Aeribus, Aquis, et Locis, § 51.

commendation. But the virtues of this people appear to be by no means owing to their ignorance. The Fenni, who were in a state scarcely removed from brutality, regarded neither Gods nor men, and had no idea of social duties. The Chauci, the most civilised of any, were, at the same time, the most just and harmless, yet equally brave, and prepared for war, with the most fierce and daring. The Suiones, who are not described as the most learned, were still the most corrupt, and in consequence thereof reduced to slavery, but without the intervention of either art or science.

Sparta, indeed, appears a notable instance in favour of our author's opinions; and he has not neglected to take advantage of it. But I question if, upon a more close inspection, it will be found so applicable to his purpose as he seems to expect. Learning, indeed, such as was mostly cultivated in Greece, did not suit with the Spartan discipline, which was of a very peculiar kind: but the Lacedæmonian system of education, although it by no means promoted literature, was by no means adverse to cultivation of the mental powers. It was not allowed to a father to breed up his own children according to his own taste or fancy, but the education of the youth was the care of the first men in the state. They paid the greatest regard to the exercise of the mind and understanding, in the questions which made a part of their system of instruction; which, as * Plutarch tells us, were not frivolous or trifling, but such as required an advised and deliberate answer; as, "Who was the best man in the city? What he thought of such an action of such a man?" using them thus early to pass a right judgment upon persons and things, and to inform themselves of the abilities or defects of their countrymen. If they had not an answer ready to this question, What citizen was of good or of ill reputation? they were looked upon as of a dull and careless disposition, and to have little or no sense of honour and virtue. Besides this, they were to

* Plutarch's Life of Lycurgus.

give a good reason for their answer, and in as few words, and as comprehensive as possible. They taught them also a natural and graceful manner of speaking, enlivened with a touch of inoffensive raillery, and comprehending a great deal of matter in few words. For Lycurgus, who ordered that a great piece of money should be but of inconsiderable value, on the contrary, would allow no discourse to be current, which did not contain, in a few words, a great deal of useful and weighty sense; contriving that children, by a long habit of silence and meditation, should have such a presence and quickness of mind as to give very surprising answers, and oft-times to speak apothegms, to the astonishment of the hearers: whereas the incontinence of the tongue frustrates the end of speaking. Hence the pithiness of the Laconian speech, so many instances of which are recorded.

Music, also, was a science much cultivated by that people: in which, Plutarch tells us, they were no less careful to compose well, than to speak to the point. Hence Terpander and Pindar said, that music was not inconsistent with, but rather a help and incentive to, valour.

Nor was the poetic muse herself entirely disregarded at Sparta. The king, before an engagement, sacrificed to the Muses; and the songs of some of their poets were held in such veneration, that they were forbidden to be sung by slaves. Upon this account, when the Thebans once made an irruption into Laconia, and took a great number of the Helotes prisoners, they could by no means persuade them to sing the odes of Terpander, * Alcman, and Spondon; for, said they, "they are our masters' songs, and we dare not sing them."

It is, perhaps, to this people that we owe the possession of the entire works of Homer. Lycurgus † is said first to have col-

* Plutarch's Life of Lycurgus.

† See note to Mr. Montague's work on the rise and fall of ancient republics, page 21.

lected them together, and to have brought them into Greece out of Asia Minor.

But even granting the Spartan ignorance, and the Spartan integrity, to be as great as Mr. Rousseau would persuade us—the latter of which was by no † means true of them in a national light—why should all their virtues be laid to the account of their ignorance? Was there nothing besides, in the Spartan constitution, that led to virtue, or prevented the contagion of vice? Was the regulation of the public tables no preventive of luxury? or was the crying down all gold and silver money no bar to avarice? and are not these two vices, at least as destructive to morality as the arts and sciences? As a proof of this, we find, that when, in the time of Agis and Agesilaus, and afterwards in that of Alexander, money found its way into Sparta, the Lacedæmonians instantly became corrupted, notwithstanding the state of the arts and sciences remained as before. This proves that they were, in a great measure at least, innocent of the mischief imputed to them.

Nor was Socrates himself, on whom Mr. Rousseau lays so much stress, the advocate for ignorance that he would represent. He recommended, on the contrary, the study of several branches of science, particularly geometry ‡, astronomy, and even medicine; and although he did not encourage very deep researches into the more || abstruse parts of these sciences, it was not from any positive injury that he apprehended might arise from thence, but from the apprehension of their occupying too much of the time of those who applied to them.

† Aristotle and Plato were by no means admirers of the national character of the Spartans; and even Polybius, who preferred their constitution to all others, confesses, that it was herein defective, that moderation and self-denial were not found in the public, but in the practice of private men. Every Spartan, considered in his own person and private life, was modest, wise, and prudent; but when taken collectively, they were a people full of avarice and ambition.

—Polybius, book vi. extr. 3.

‡ Xenophont. Memorab. Socr. c. vii. § 2, 3, 4, 8, 9.

|| Ibidem, § 5.

Another

A nother reason which appears to be hinted ‡ by Xenophon, which probably had great weight with Socrates, was, that these studies, astronomy particularly, were, at that time, perverted to bad purposes; such as attempting to discover the intentions of the Deity, and the ultimate reasons why the universe was made and fashioned in such a manner. These had, as Socrates himself declares, already turned the head of Anaxagoras; who, in the height of his pride and madness, was so vain as to declare, that he had found out the secrets of the Almighty, and was now as wise as God himself.

But that this is not the necessary or natural effect of such studies, our own countryman, the immortal Sir Isaac Newton, is a sufficient instance; who, with infinitely more knowledge than Anaxagoras, uniformly preserved the utmost humility of disposition, always acknowledging, that all his researches tended but more and more to convince him of the infinite wisdom, power, and goodness, of the Supreme Being.

Nor was Socrates so much averse, as is represented, to the more elegant branches of literature. He thought it not inconsistent with his plan of education, to introduce the authority of the poets for the confirmation of his moral doctrines. Thus the perversion, as was alledged, of a passage in Hesiod, and of another in Homer, were made part of the articles of his accusation: which plainly shews, at least, the respect he had for this species of writing; and that it was not poetry, but the abuse of it, that he condemned.

Nay, even some of the embellishments of society, that appear to us to be of the more frivolous kind, were not unworthy the attention of Socrates. Thus Xenophon *, in the banquet, represents him as recommending the art of dancing, and desirous to learn it himself; which plainly indicates that it was not, in his opinion,

‡ Xenophont. Memorab. Socr. c. vii. § 6.

* Symposii, lib. ii. § 15, 16, 17, 18.

by any means unworthy of a wise and good character, though it might be thought at least as instrumental in corrupting or perverting the manners, as learning or the sciences.

I shall next endeavour, with Mr. Rousseau, to examine the arts and sciences in the abstract; and shall not, with him, "hesitate to accede to any propositions wherein reason shall be found to accord with historical deduction."

"It was, says he, an ancient tradition, handed down from Egypt to Greece, that some God, an enemy to the repose of mankind, was the first inventor of the sciences. What an opinion, adds he, must the Egyptians themselves have entertained of them from whom they originated! It was because they had those first causes before their eyes that produced them. And, indeed, whether we investigate the annals of mankind, or whether we supply the defects of ancient or uncertain chronicles by philosophical researches, we never shall find, in this career of human knowledge, those origins we naturally expect to form of them.

"Astronomy is the child of superstition; Eloquence owes its birth to ambition, hatred, flattering, and lying; Geometry, to avarice; Physic, to idle curiosity; but all, even Morality included, to human pride. The arts and sciences owe their existence to our vices. We should have fewer doubts of their advantages, had they originated from our virtues."

Whence our author got this tradition, I cannot pretend to say; but may venture to pronounce, that the most authentic accounts that we have of the ancient Egyptians, give us no reason to think that their idea of literature was such as he represents. The Ptolemaean library was inscribed with the title of the *Medicine of the Soul*; an epithet surely not denoting it to be the source of vice and corruption. The same people were also the greatest encouragers of the practical arts and sciences. * Geometry, astronomy, and

* Diod. Sicul. lib. i.

arithmetic,

arithmetic, were particularly encouraged among them, and taught to all the youth. Medicine, likewise, was much studied, and all the mechanic arts were in the highest perfection. Yet this people is described by the same author as just, pious, humane, and benevolent, as well as instructed in the arts and sciences. Our author's genealogy of some particular branches of knowledge, is still more strange and absurd. What were the original motives that prompted men to observation of the celestial bodies, is, perhaps, impossible now to determine; but, whatever these might originally be, Astronomy is not, in the present age, in the least connected with superstition, and serves to guide the pilot through a stormy sea, without any danger of corrupting either his moral or religious principles. Nor is it true, that eloquence owes its birth to the bad passions he represents. The earliest specimens that have come to our hands, and at least equal * to any that have been employed for bad purposes, are in recommendation of moral and religious duties; and appear also to have produced the most extraordinary effects in favour of virtue, in many instances.

His derivation of geometry from avarice, and of physic from idle curiosity, is equally strange: as if a regard to the necessities of life, and the preservation of health, could with justice be construed into passions of a vicious nature. But the descent of morality from pride is still more extraordinary.

* This was Milton's opinion:

Their orators thou then extoll'st, as those
The top of eloquence. Statists indeed,
And lovers of their country as may seem;
But herein to our prophets far beneath,
As men divinely taught, and better teaching
The solid rules of civil government,
In their majestic unaffected style,
Than all the oratory of Greece and Rome.

Parad. Regained, book iv. l. 353, &c.

Surely.

Surely Mr. Rousseau would scarcely assert, that the Almighty has never published any rules of moral conduct, but through the medium of vice. Does he, who pleads so much for the beauty and reasonableness of virtue, deny that the consciousness of this is itself a part of the science of morals, and perhaps one in whose truth we have most reason to confide? Moral laws were made to prevent, not to punish, vice; and, on that account, have an existence previous to their being infringed.

Nor is his account of the descent of some others of the arts and sciences better supported. "Arts, in his account, are derived from luxury—Jurisprudence, from the natural depravity of man—and History, from tyranny, conspiracy, and war." That the arts have been made subservient to bad purposes, and to those of luxury among others, is true; but that they owe their origin thereto, is not so clear. The necessities of our nature—to satisfy which it is evident they were first applied—are sufficiently pressing to require support from the arts, without employing them to any improper purposes.

Jurisprudence, indeed, was instituted for the correction of bad actions; and in that light may be said to owe its origin to man's depravity. But surely this is no objection to it. If it supported or encouraged vice, it might justly be condemned; but as it is employed with a different intention, it is a strange perversion of sentiment, to make use of the very reasons that ought to be urged in its support, in opposition to its use.

Nor is history confined entirely to tyranny, conspiracy, and murder. Such events, it is too true, occupy a large part; but it is also undeniable, that the history of our species, considered with regard to the amiable part of their character, is equally instructive and useful with the other. Thus the histories of Solon, Numa, or Lycurgus, are all of them equally worthy of being read and studied, as those of more "noisy and guilty fame;" and yield

as much service to mankind, by pointing out a pattern of imitation, as the others do by teaching us what we should avoid.

The injury that literature is supposed to do to a military spirit, is the next subject chosen by this author for an opportunity of indulging his invective against learning. But it seems, that in this instance he has been peculiarly unfortunate, as the men of the greatest military talents have also been most famous for those of the understanding. Did the study of the sciences injure the courage of Themistocles, Cimon, Pericles, Xenophon, Thucydides, Phocion, or Alexander the Great? Was Scipio Africanus less eminent for his military accomplishments, because he was addicted to literary * studies? or was Julius Cæsar a less excellent commander, because he added a large stock of science, in every branch, to his knowledge of the art of war? No one that peruses his admirable account of the wars in which he was engaged, but will readily acknowledge, he was nearly as much indebted for his success to his knowledge of the different arts, as to his mere military talents.

But we need not recur to ancient times for instances of this kind. Modern examples are sufficiently numerous; of which our author seems so sensible, that he appears desirous to shift his ground, and to allow that the modern warriors are not deficient in courage, but only that they are unable to endure the necessary fatigue incident to a military life. But in this point, as well as the other, he is evidently mistaken. It has † been well observed, that the weakness and effeminacy of which polished nations are sometimes accused, has its place, probably, in the mind alone. The strength of animals in general, and of man in particular, depends on his feeding, and the kinds of labour to which he is used. Wholesome food and hard labour, the portion of many in every polished and commercial nation, secure to the public a number of men endued

* See the character of Lucullus, in the Academical Questions of Cicero, book iv. inscribed Lucullus.

† Ferguson on Civil Society.

with bodily strength, and inured to hardship and toil. Even delicate living and good accommodation, are not always found to enervate the body. The armies of Europe have been obliged to make the experiment; and the children of opulent families, bred in effeminacy, or nursed with tender care, have been made to contend with the savage. By imitating his arts, they have learned, like him, to traverse the forest, and in every season to subsist in the desert. They have, perhaps, recovered a lesson, which it has cost civilised nations many ages to unlearn—That the fortune of a man is entire, whilst he remains possessed of himself.

Such are the chief of the arguments in this celebrated performance, and such are my attempts to reply to them. How far I have succeeded, I leave to the reader; and finish my remarks on this work, with observing, that the writing of it—which was an university-exercise at Dijon—and the applause he received on that account, is thought to have laid the foundation of that haughty, eccentric, capricious, and paradoxical disposition, that pursued him through life, and rendered his situation and behaviour so uneasy to himself, and so troublesome to others.

His example may, if duly attended, serve as an useful lesson to places of academical education in general, not to engage their pupils, in early age, in the defence of any tenets or principles which they would not have them maintain through life. If Rousseau was so much injured by a contrary conduct, what may not others expect?

The effects of literature, and the arts, on manners and behaviour, are next to be noticed.

Improvements in these branches have been always acknowledged to have a tendency to * civilise and refine the manners, as far as relates to behaviour.

But

* *Ingennas didicisse fideliter artas
Emollit mores nec finit esse feros.*

Ovidii de Ponto, lib. ii. eleg. 9.

Quid

But they have likewise specific and peculiar, as well as general, effects in this way. Thus I am inclined to think, that science and learning have a tendency to render the behaviour and manners rather close and reserved. The prudence, and acquaintance with human nature, that are acquired by science and observation, prevent those free professions of regard which are so frequent in uncivilised countries. Hospitality, also, perhaps for a similar reason, in some measure—and also as it is rather connected with a degree of coarseness and indelicacy, and often leads to some excesses in point of temperance very adverse to the genius of study and literature—is less practised. It is likewise probable, that the sense of superiority, almost necessarily attendant upon a consciousness of great abilities, prevents that indiscriminate connection to which the practice of hospitality is liable, and inclines those who possess talents of this kind, to be very select in their acquaintance, especially as it is subject to be courted by many. The histories of the lives of Mr. Pope and Dr. Swift, afford many instances of this kind.

SECT. III. *On the influence of literature upon the intellectual faculties.*

Literature seems to be to the mental capacity what cultivation is to the soil. Though it may not, perhaps, increase its absolute fertility, or give it new powers, it brings those it before possessed so much into action, directs their application, and combines them in such a manner, as to produce nearly the same effects, which an addition to their strength and force would have done.

Quid enumerem artium multitudinem sine quibus vita omnino nulla esse potuisset? Quis enim ægris subvenisset; quæ esset oblectatio valentium; qui victus aut cultus; nisi tam multæ nobis artes ministrarentur quibus rebus exulta hominum vita tantum destitit a cultu & victu bestiarum?—Cicero. de Officiis, lib. ii. § 20.

Learning, therefore, and knowledge, may be presumed to be favourable to the human faculties in general. But I am inclined to suspect, though I speak here with great reserve, that this relates more particularly to arts, than to matters of genius and taste, especially in poetical composition.

The principal and most admired model of genius in this way was written, though not in an age of ignorance, certainly before any great degree of refinement had taken place in literature or critical knowledge, and has even served as a model to future ages, by which succeeding writers have been judged with respect to the merit of their compositions, even at the most refined periods.

I do not, however, mean to insinuate, that an acquaintance with science and literature is itself a bar to genius; but am apt to suspect, that the retired and indolent habit, which so commonly attends great sensibility and refinement—which usually take place in the advanced state of literature—are checks to ardour of mind and vigour of imagination. Business, indeed, when constant and unremitting, may sometimes prove an obstacle to study; but retirement and leisure, as they do not furnish employment for great talents, neither do they contribute to their improvement. The most striking exertions of imagination and sentiment, have a reference to mankind; they are excited by the presence and intercourse of men: and the same active scenes, which call forth the abilities of the statesman and politician, inspire likewise the genius of the orator and the poet. In short, poetical merit, like the other mental powers, has appeared most when most opportunities were given to the exertion of active abilities. Virgil and Horace lived during the time of the civil wars; Ariosto and Tasso, when Italy was a scene of war and confusion; and our Milton, a genius equal to any of them, at a period when the struggle for liberty called forth abilities of every kind, in our own country. It does not, indeed, appear, that Milton's acquaintance with literature, or even the refinement of his taste, at all cramped his genius, or restrained the

fire of his poetry. He alone, perhaps, was qualified to make the proper use, in its full extent, of such advantages; which he did not consider as containing models of servile imitation, but as hints whereon he might improve, and stages whereby he might ascend to a superior height to those whom he condescended to imitate.

The idea of correctness, also, which is so naturally connected with refinement, is, I apprehend, a great bar to genius. Rules of this kind are useful to be known, in order to serve as a general guide and direction; but when rigidly observed, have been found to cramp and embarrass the imagination, and to substitute, in the place of bold and sublime ideas, the merit of exact compliance with rule, and form a composition resembling the character given by * Tacitus of one of the emperors, as being rather "devoid of faults than endued with perfections."

It is not, however, to be denied, that rules of this kind are of some service, in preventing the press being deluged with the bombastic fustian, which every fantastic visionary might vent for sublimity of composition, and in checking outrageous deviations from order, probability, and even common sense; which would probably be very common, were there not some standard of this kind.

After all, a great degree of correctness appears to be rather the excellence of moderate genius, and has, indeed, a merit not to be disregarded; but must at the same time be overlooked, among many perfections of a superior nature. In compositions wherein the latter are very conspicuous, small inaccuracies † are scarcely regarded.

* *Ipsi medium ingenium; magis extra vitia quam cum virtutibus.*—Taciti Histor. lib. i. c. 49.

† *Verum ubi plura nitent, in carmine, non ego paucis Offendar maculis.*

Horat. Art. Poet. l. 351, 352, 353.

Knowledge of past improvement seems more immediately serviceable in matters of art than of literature. In the latter of these, the multiplicity of writers has almost exhausted the field of invention and description, at least, of such things as could be expected to occur to authors not of the first class; insomuch that it would be scarce possible for a modern to compose a fable, or even a simile or description, proper for poetry, whereon he had not been anticipated by some preceding writer. The multitude of labourers are here a clog upon one another, as every one is obliged to produce somewhat not only apposite to the purpose, but also new in its way; which is so difficult, in a subject so exhausted, that but a small portion can fall to the lot of any individual, except of some extraordinary genius: whose appearance is too rare to expect in the usual course of literary progress.

Arts, on the other hand, are in some respects more advantageously circumstanced, with regard to prior improvements, than matters of taste and sentiment. In arts we are enabled to build upon former discoveries, as a help to a future progress, and to apply every invention to its precise and proper use; every advance is distinctly and accurately marked, and a proportionable credit, and consequent encouragement, allowed for each step gained; and the same exertion of genius, which in the other branch would have gained the repute of little more than a bare imitation, in this produces a substantial improvement. It appears probable to me, that the almost imperceptible, yet distinct, gradation of the steps that lead to improvement in arts, is a principal cause of their more advanced progress in proportion with literary accomplishments; and that the maxim of *Divide and conquer* * is no less applicable to arts than to arms.

* Divide et impera.

SECT. IV. *On the influence of literature and arts upon the laws and customs.*

Law, like other branches of science, has been under the greatest obligations to literature. We owe to learning, in a great measure, our knowledge of the proper object of the laws, and the means of attaining it in the most effectual manner.

A sketch of the lights in which law has been contemplated, by civilised and polished nations, will explain this more fully.

The prevention of crimes, says Plato *, is the great object of the law.

The law, says † Cicero, is a rule of right reason, recommending what is right and forbidding what is wrong.

The law, says ‡ Livy, is deaf and inexorable; equally, at least, favouring the poor as the rich, and governing every person in the state, from the highest to the lowest.

The end of all laws, says || Andronicus Rhodius, is to direct what is good, and to forbid what is bad.

The law, say the § Pandects, is an art directing to the knowledge of what is just and what unjust. Instances of the improvement of legislation, by means of learning, are to be found equally strong in modern times. The writers of the present age, in Germany, Italy, and England, and above all, Mr. Montesquieu, in France, prove to demonstration the advantage of an acquaintance with science and literature, to those concerned in the forming and composing of laws.

* De Legibus, p. 977.

† De Legibus, lib. i. § 49. lib. ii. § 14.—De Naturâ Deorum, § 112.

‡ Lib. ii. § 3. lib. xxxviii. § 50.

|| Éthicor. Nicomach. Paraphras. l. v. cap. 1.

§ Dig. i. 1.—i. 1. 1. 1.—i. 1. 1. pr. d. 1. 1. 10.

In a word, science has brought to light that important * maxim of legislation, which it is to be hoped will never be forgotten, that "no man ought to be prohibited by law from doing what he ought to desire to do, or to be compelled to do any thing, which he ought not to desire to do."

The means also of attaining these important and desirable ends of laws, have been greatly illustrated by science and literature. Since the revival of letters, it has been discovered, that severe punishments are not the best means of restraining crimes, but that they have rather a tendency to create them.

Russia, whilst uncivilised, was full of cruel punishments, at least, such as were savage and indecent. On the improvement of civilisation, and the establishment of science, the punishment of death was abrogated altogether; and both the police and morals of the country appear to have been improved by this change in the laws.

Science and literature appear to have been of great use in legislation, in directing the punishment to its proper object, which is crimes, and to them only.

As human nature will not endure restraint beyond a certain degree, it is of the utmost consequence to direct this restraint to such things as it is most important to prevent; since, if we check actions that are in themselves indifferent, we are apt to permit those which ought not to be suffered at all. Thus the Tartars, under Jenghiz Khan, prohibited, under severe penalties, a multitude of actions perfectly indifferent, but were very moderate in their censure of robbery, violence, and murder: of such consequence is it to select the proper objects for the operation of penal laws. I shall finish my remarks on this subject with the words of the justly-celebrated Marquis Beccaria, who is himself a striking and living instance, how much the knowledge of legislation, and

* Sp. of Laws. B. xi. ch. 3.

of the true interests of mankind, are promoted by an acquaintance with the arts and sciences.

“ Would you prevent crimes, let liberty be attended with knowledge. As knowledge extends, the disadvantages that attend it diminish, and the advantages increase.

Knowledge facilitates the comparison of objects, by shewing them in different points of view.—When the clouds of ignorance are dispelled by the radiance of knowledge, authority trembles, but the force of the laws remains immoveable. Men of enlightened understanding must necessarily approve those useful conventions, which are the foundation of public safety; they compare, with the highest satisfaction, the inconsiderable portion of liberty of which they are deprived, with the sum total sacrificed by others for their security; observing that they have given up the pernicious liberty of injuring their fellow-creatures, they bless the throne, and the laws upon which it is † established.”

Customs, I am apt to believe, are less regarded in countries where science prevails, than in ignorant ones.

Customs are generally respected as being venerable for antiquity, and as serving some intention, the bent of which is not generally understood. But when the causes of things come to be scrutinized and examined, much of the veneration for old usages is destroyed, as they are then regarded only as they shew themselves to be subservient to some useful purpose. Thus many of the old usages and customs in this country are destroyed, and are, in general, much on the decline, as appears from the mutability which begins to prevail among them; which is probably owing to the influence of literature and arts.

†. *Essay on Crimes and Punishments*, chap. xlii.

S E C T. V. *Influence of literature and arts on the form of government.*

There can be, I think, no doubt, that learning and knowledge are favourable to liberty. Mr. Montesquieu well observes, "that excessive obedience supposes ignorance in the person that obeys. The same it supposes in him that commands; for he has no occasion to deliberate, to doubt, to reason; he has only to will. * Learning would there be dangerous, and emulation fatal." The cause of this is obvious: despotism is supported by the passions, not the reason; consequently every appeal from the former to the latter must tend to shake the basis of such an usurpation, and, of consequence, make all science an object of distrust and jealousy. The states formerly most celebrated for literary accomplishment were free, as Athens and Rome; and the effects of learning, in checking the absurd claims of arbitrary power, in modern times, are no less remarkable. We owe the best parts of our present constitution, in no small measure, to the works of Milton, Locke, Sydney, Harrington, and the other learned and rational defenders of liberty; and the writings of Mr. Montesquieu, and Mr. Voltaire, in France, and of the Marquis Beccaria in Italy, among those of other great men, who have explained and insisted upon the natural and just rights of mankind, have contributed very much to temper the † arbitrary government of those countries. Spain and Portugal still remain in ignorance and despotism; nor is it likely that the latter should ever be corrected, unless they emerge from the former.

* Sp. of Laws, book iv. ch. 3.

† The late king of Sardinia used to say, that it was from Mr. Montesquieu that he learned the art of government. M. de Solar, the Maltese ambassador at Rome, said, on the first appearance of the Spirit of Laws, "That is a book that will cause great revolutions in the minds of the French."

What particular form of government is best suited to literature I cannot absolutely determine. Perhaps different forms may be best suited to different kinds of literary accomplishment. A popular government seems to be best suited to great strength and vigour of genius, and elevation of mind. That freedom of speech and sentiment, which is so much indulged in a popular government, is highly adapted to exertion of the talents, and the calling forth the latent powers of the mind and understanding. A democratical government seldom fails to produce great men. How many persons of extraordinary capacity appeared in the small republics of Greece, during a short period of time! and what an assemblage of great talents was collected during the still shorter duration of republican government in our own country! Every department was filled with men of high capacity. The state, the bench of justice, and the army, were all extremely respectable: nor was the poetic muse herself neglected, though the fanatical and extravagant religious doctrines, which were general at that time, seemed highly adverse to these elegant amusements. Waller and Milton, who were both upon the republican party, and the latter deeply engaged in the religious controversy which prevailed about that period of time, were, perhaps, the first elegant poetical writers in this country.

But the same causes which give such a scope to the talents in a democratical government, contribute also, in a great measure, to direct their application.

Hence oratory, as being much wanted, and of great importance, in such governments, where such an unbounded liberty, both of sentiment and speech is allowed and encouraged †, is much cultivated.

† Magna eloquentia, sicut flamma materia alitur, et motibus excitatur, et urendo clarescit. Eadem ratio in nostrâ quoque civitate antiquorum eloquentiam provexit. Nam etsi horum quoque temporum oratores ea consecuti sunt, quæ composita, et quieta, et beata, republica tribui fas erat: tamen ista perturbatione et licentia

tivated. The democracy at Athens produced Demosthenes, Æschines, Demades, Pericles, and Hyperides, as Milton calls them.

“ Those ancient, whose resistless eloquence
Wielded at will that fierce democratie,
Shook th’ arsenal, and fulmin’d over Greece
To Macedon and Artaxerxes throne.” ¶

The popular commotions in the reign of Charles I. laid the foundation of English oratory in the House of Commons. It is worth remarking upon this occasion, that the speeches in our own popular assemblies have been much more frequent, more animated, and received with more attention, than those which are delivered in the other House of Parliament, that represents the aristocratical branch of the constitution. A celebrated speaker, scarcely inferior to those just mentioned of ancient Greece—the thunder of whose name reached the extremest parts of the globe, whilst he continued to direct the assemblies of the people—lost his influence and his weight, in a great measure, when translated into the other house;

plura sibi assequi videbantur, cum mixtis omnibus et moderatore uno carentibus, tantum quisque orator saperet, quantum erranti populo persuaderi poterat. Hinc leges assiduæ, populare nomen; hinc conciones magistratuum pœne pernoctantium in rostris; hinc accusationes potentium reorum, et assignatæ etiam domibus inimicitia; hinc procerum factiones, et assidua senatus adversus plebem certamina: quæ singula etsi distrahebant rempublicam, exercebant tamen illorum temporum eloquentiam, et magnis cumulare præmiis videbantur. Quia quantò quisque plus dicendo poterat, tanto facilius honores assequebatur, tantò magis in ipsis honoribus collegas suos anteibat, tanto plus apud principes gratiæ, plus auctoritatis apud patres, plus notitiæ ac nominis apud plebem parabat. Hi clientelis etiam exterarum nationum redundabant; hos ituri in provincias magistratus reverebantur, hos reversi colebant, hos et præturæ et consulatus vocare ultro videbantur; hinc privati quidem sine potestate erant, cum et populum et senatum consilio et auctoritate regerent: quin immo sibi ipsi persuaferant, neminem sine eloquentia aut assequi posse in civitate, aut tueri conspicuum et eminentem locum.—Taciti Oratores, c. xxxvi.

¶ Paradise Regained, b. iv. l. 267.

and

and the same exactly was the case, not many years before, with another popular orator of the highest eminence. These instances serve to shew how well adapted a popular government is to oratorical talents. But if this form of government be suited to exertions of this kind, they, in their turn, contribute highly to its support. The popular orators maintained the democracy of Athens, by cherishing among the people an opinion of their own weight and consequence; and, however we may at times condemn, in our own country, the excess of a contentious spirit, we must be cautious how we attempt to check it, as upon that depends our liberty and constitution.

The very ebullitions that we censure may, perhaps, prove political remedies for the * diseases of the state; and, even when mistaken in their direction, serve as a warning to those at the head of administration, not to encroach on the liberty of the people. It requires, however, the deepest political sagacity, as well as the utmost integrity of intention, in those possessed of popular talents, in our own government, to discern the point beyond which this influence ought not to be extended. The being more active in attacks upon the crown, in the reign of Charles I. than vigilant in the support of the rights of the people, terminated in the destruction of the constitution; and the same conduct at Rome, in opposition to the nobility, produced an absolute government: two examples, which, it is to be hoped, will always be considered by those who oppose the measures of administration in Great Britain. What Mr. Montesquieu has said of punishments, in republican governments, ought constantly to be considered under such circumstances, that when the grievance is redressed, and the immediate actors removed, there ought to be an end of all punishments, confiscations, and even of rewards.

* "The misfortune of a republic is when intrigues are at an end; which takes place when the people are gained by bribery and corruption. In this case they grow indifferent to public affairs, and avarice becomes their predominant passion."—*Sp. of Laws*, b. ii. ch. 2.

But to return from this digression.

Satirical performances are another species of writing, suited, I apprehend, to a republican government. These, like their oratorical performances, are generally open and undisguised, as well as sharp and severe. The satire of † Aristophanes degenerated into what we should now term abuse; that of ‡ Archilochus was pointed and vehement, and is said to have produced extraordinary || effects. Lucilius, the most * ancient of the Roman satyrists, had a similar § character annexed to his works; which was imitated, in a great measure, by Persius and Juvenal, the latter of whose writings appear to exhibit the last breath of the genuine Roman spirit of liberty.

† See his reflections and ridicule of Socrates, in the comedy of the Clouds.

‡ ————— Parios ego primus Iambos.
Ostendi Latio, numeros animosque secutus.
Archilochi, non res et agentia verba Lycamben.
Lib. i. ep. 19. l. 23, &c.

Archilochum proprio rabies armavit Iambo.
De Arte Poetica, l. 79.

|| He is said to have written so severely against Lycambes, who refused to fulfill his promise of giving him his daughter in marriage, as to cause Lycambes to hang himself. The same effect is often ascribed to the writings of the antient satyrists.

* ————— quid cum est Lucilius ausus:
Primus in hunc operis componere carmina morem.
Horat. Satyr. lib. ii. satyr. 1.

§ Nam eruditio in eo (Lucilio) mira et libertas, atque inde acerbitas et abunde salis.—Quintilian. lib. x. cap. 1.

————— Secuit Lucilius urbem
Te Lupe, te Muti, et genuum fregit in illis.
Persii Satyr. ii.

Ense velut stricto quoties Lucilius ardens
Infremuit —————

Juvenal. Satyr. 1.

Our

Our own country, whose constitution is eminently democratical, has produced writers of a similar stamp to those just mentioned among the Romans. The satires of Dr. Donne, one of the most ancient of our writers in that line, are penned not only, as Dr. Browne describes them,

“ With genuine sense, and Roman strength of thought ;”

but also with that ardent eloquence, and boundless rage, that characterise the works of Juvenal and Persius.

Milton, although he did not professedly assume the scourge of satire, yet has intermixed many strokes of that kind among his † poetical works ; and his prose performances are chiefly invective, and that of the most violent kind.

Pope, although he has not carried the severity of his censure to such a degree as was done by some of his predecessors, was, nevertheless, possessed of a genius of a similar turn. His imitations of Horace, though highly and justly admired, are generally acknowledged to have scarcely any resemblance to that author, except in the plan and order of arrangement ; but the reflections, the expressions, and the choice of words, resemble much more the indignant rage of Juvenal, than the sportive, easy, and elegant vein of the Horatian satire. As a proof of this, it may be observed, that when the beauty of the original consists in easy, concise, and graceful humour, Pope has generally, though not always, fallen || short of his original ; but where Horace assumes the character of a declaimer against vice, and an indignant corrector of corrupt manners, Pope * generally rises superior to his master. It is, however, true, that Pope, probably as not having been soured with disappointment and neglect, and enraged at the loss of his country's

† Parad. Lost, book vii. ad initium.—Lycidas, line 113, &c.—Sampson Agon. l. 241, &c. l. 695, &c. l. 1460, &c.

|| Imitations of Horace, b. ii. satyr. 1. l. 50, 63, 84, 90.—Book ii. sat. 2. l. 27.—Book i. epist. 1. l. 143, &c.

* B. ii. satyr. 1. l. 105, &c. 133, &c.—B. ii. sat. 2. l. 5, &c. 81, &c. 115, &c. 150.—B. i. ep. 1. l. 55, &c. ep. vi. l. 5, &c. 17, &c.—B. ii. ep. 2. l. 264, &c.

liberty,

liberty, as was the case with Juvenal, is less acrimonious in his satire, and often attempts, and frequently with success, to imitate the playful easy wit of Horace. In general, however, the observation of Mr. Montesquieu is, I believe, found to be true, that the genius of this country, with regard to satirical composition, approaches much nearer to that of Juvenal than of Horace.

Popular government, I am apt to think, usually imparts a certain peculiarity of composition to poetical writings in general. The freedom of speech and sentiment natural to such a state inspires a kind of rude and inartificial greatness, whilst that kind of delicacy that proceeds from taste is less cultivated.

What Mr. Montesquieu has said of the English, is applicable to popular governments in general—that they have in their poetry something which approaches nearer to the bold strength of Michael Angelo, than the softer graces of Raphael. Milton particularly, whom I take as an instance of a genius of the republican kind, is a notable example of the truth of this observation.

A government, rather of the democratical kind, I take to be best suited to the genius of historical composition. The dignity of character inherent in the members of a republican state, the liberty of speech, and freedom of information incident thereto, secure the truth of the narrative, and enable the author to deduce, and to publish from facts, such reflections as the occasion suggests.

Where there is a perfect freedom of the press—without which there can be no liberty—the truth cannot be long concealed, nor the people deceived and amused with such relations as the government think fit to publish. A false account is soon contradicted, and its author branded with infamy, for the attempt to impose; and this circumstance is a more secure guard of truth, than the capital penalties annexed to the falsification of the public accounts in China. Hence the * Gazettes, and communications of public

* No English ministry durst have published such an account of a battle, as was given in the French gazettes of the engagement in Quiberon Bay, between Sir Edward Hawke and Mr. Conflans.

transactions, in England are more to be depended upon than those of France, Spain, or the other monarchical countries of Europe. The same may be said of historical relations. Had any English writer dared to publish such a fictitious account of a battle that terminated in favour of the English, as Mr. Voltaire has given of the battle of Fontenoy, he would have been contemned and rejected by all ranks of people, instead of meeting with applause. Where the truth cannot be concealed, it is frivolous to attempt concealment.

Political disquisitions, for similar reasons, are only in perfection in free governments. Without liberty of speech and sentiment, politics are either an empty sound, or an engine contrived to rivet the fetters of servitude. Hence discourses of this kind have always appeared to advantage in republican states. Aristotle, the first political writer in point of rank, and perhaps of eminence, was a citizen of Athens. Demosthenes and Cicero were at the head of the remains of freedom, and, as a Greek orator, said, "steered the shipwrecks of their respective commonwealths." Polybius drew his political knowledge from a republican source, in consequence whereof he became the friend and instructor of the celebrated Scipio Africanus. The political maxims of Tacitus are full of republican sentiments, preserved amid the rage of desolation, that accompanied the reigns of some of the most dreadful monsters that ever infested human nature, and probably excited in some measure by the indignation such horrid cruelties naturally suggested.

To descend to later times. Machiavel was a subject of a republican government: Milton, Harrington, Sydney, and even Locke, lived at a time when liberty was carried to its greatest height in England: and the transient efforts of a similar kind in France, gave birth to the celebrated Thuanus.

It were, however, uncandid not to acknowledge, that some political writers of the greatest eminence have arisen of late years
in

in governments that can by no means be called of the republican kind. Of this, Mr. Voltaire, in some degree, the celebrated Marquis Beccaria, and above all Mr. Montesquieu, are instances. But the writings of Mr. Voltaire are so desultory, and so contradictory to one another, that it is difficult to discern his real sentiments, if he, in truth, had any settled notions on these subjects: Mr. Beccaria has said little of the nature of government: and with regard to Mr. Montesquieu, it is, I think, clearly discernible, that he wrote under a degree of * restraint, and that he would have delivered himself with much greater freedom, had he not been checked by the nature of the government under which he lived.

Monarchical governments of the moderate kind are, nevertheless, found to be favourable to some branches of learning. A certain style of oratory, especially of the panegyric kind—lyric poetry—an easy elegant vein of satire, rather upon folly than vice—dramatic performances in general—elegant moral essays—with some other kinds of literary productions, flourish much under such a government. But epic poetry, and satire upon vice—history—and political reflections, are seldom found in perfection. The people want the dignity of sentiment and spirit necessary for epic poetry; which is seldom found under any but a free government. Vice and luxury are hazardous subjects of animadversion. History is liable to be perverted by the hopes and fears of the writer, and is seldom, when written concerning the present age, any thing besides a panegyric upon the reigning monarch, and deeply inter-

* This seems hinted at by Mr. D'Alembert, in his eulogium on that celebrated writer. "Mr. Montesquieu," says he, "being sometimes obliged to present to us truths of great importance, the absolute and direct avowal of which might have shocked without doing any good, has had the prudence to cover them; and by this innocent artifice he has concealed them from those to whom they might have been hurtful, without making them lost to men of sagacity."

mixed with fiction, as we see instanced in Mr. Voltaire's histories of the reigns of the two last kings of France ; and political works and arguments are dangerous to be allowed, under a government founded more upon the passions than upon reason. I am apt to believe—though I speak here with great diffidence—that a monarchical government, of the moderate kind, is better suited to the progress of some branches of the arts, than perhaps any other form whatever. It is necessary in a monarchical state, one of the great objects of which is glory, to preserve the spirit of the people as well as to maintain the authority of the prince. A taste therefore for arts and discoveries serves to employ the talents and genius of the people, without exciting the same jealousy that might result from other inquiries ; and these are accordingly much encouraged under such governments, when wisely administered. A passion of this kind, when properly directed, serves to keep up the national character, and forms a kind of substitute for liberty. Arts likewise flourish much under the patronage and support of a monarch, to which they are particularly adapted. Their flourishing state under the reign of Louis XIV. is a noted instance ; which would probably have raised his reputation, and that of his country, to a much greater pitch than he attained, had it not been interrupted by his mad and absurd passion for conquest—which, by exhausting the nation both of men and treasure, left no support or encouragement for the arts. It must, indeed, be confessed, that the insecurity of property under such governments, and the arbitrary and unequal taxes that they impose, are a great damp upon the practical advantages a nation might receive from the establishment of manufactures.

An aristocratical government—but I mean here one of the hereditary and confined kind, as those of Venice and Genoa at present, and what some of the Italian states were formerly—is by no means favourable to literature in general. It is observable, that scarcely any governments are so jealous of intrigues of the politi-

cal kind, as aristocratical states. All political discourse therefore must be very tenderly touched, and consequently no improvement of that kind can be expected. Historical compositions, for a similar reason, are under considerable restriction; and the rigid previous inspection of every article that is allowed to be published, and the suppression of any that do not coincide with the sentiments of government, are sufficient causes why they have no historians of considerable note.

But aristocratical governments are averse to political or historical compositions, of any period near the present, upon another account. These, if properly written, must always contain censure, as well as commendation, both of men and measures.

Now it is well remarked by * Mr. Montesquieu, that no government whatever is so averse to satirical writings as the aristocratical. There the magistrates are petty sovereigns, but not great enough to despise affronts. If, in a monarchy, a satirical stroke is aimed at the prince, he is placed upon such an eminence, that it does not reach him; but an aristocratical lord is pierced to the heart. Hence the Decemvirs, who formed an aristocracy, punished the authors of satirical writings with death.

Some kinds of arts, however, particularly those which respect navigation and commerce, appear to be well suited to this constitution of the state. A naval force, I have † before remarked, is, of all kinds of standing armies, the least dangerous to liberty, and of consequence, the least liable to be made an instrument for altering the constitution of the government, be it what it may. For this reason, among others, navigation and commerce have been much encouraged among the aristocratical states, as those of Crete, Carthage, and Marseilles formerly, and those of Venice, Genoa, Pisa, and some other of the Italian states, in later times.

* Spirit of Laws, B. xii. ch. 13.

† Book ii.

A despotical form of government can scarcely be said to be suited to any kind of intellectual improvement: knowledge there is dangerous, both to the constitution of the state, and to the person who possesses it. Emulation there can have no place, as the only security for any individual, consists in his remaining as unnoticed as possible. Even any great improvement in the arts would not be without hazard, as it might enable the owner^d or inventor to amass such a sum of money, as might render him an object of the jealousy or rapacity of a timid or needy administration.

S E C T. VI. *On the influence of literature and arts upon religion.*

I presume it will scarcely be necessary to say, that the more we turn our inquiries into nature, the more proofs we shall meet of the existence of a Deity. Hence it is reasonable to conclude, that the people in general, who have had the most opportunities for information of this kind, will be most likely to have the belief of a Deity most universally diffused, and most deeply impressed upon their minds. This is intirely conformable to observation. Those nations who have been accounted atheists, though probably without reason, have always been in the lowest state of civilisation, such as the Fenni of Tacitus, the Ichthyophagi of Diodorus Siculus, and the Hottentots, and people of Terra del Fuego, among our modern discoveries; some of which people appear to have had little more than the form (if we may credit the accounts of them) to entitle them to the name of humanity. On the other hand, uniform experience teaches us, that every nation yet discovered, either in the ancient or modern world, have always had the belief of a Deity more universally and strongly impressed, in proportion to the advances they had made in science and arts.

Indeed it cannot be denied, that, even in times of the greatest civilisation and science, some persons have ventured to adopt, and to propagate, tenets inconsistent with this generally-received opinion.

But it may be justly questioned, if these unhappy people were either clear in their understandings (as some of them we know were not) or else, if they were not induced by some interested views to support so absurd as well as so impious an opinion. The idea of a Deity is the result of so many subjects of reflection, occurring every moment in human life, that the expression of the * poet, *that all things are full of the Deity*, is equally true of the proofs of his existence, his providence, and beneficence—if it could be imagined that the evidence of the latter did not necessarily imply the former. It is an easier thing for a man to deny, than to extirpate, his feelings; and those which are really natural—as I believe the consciousness of a Deity (from its being universally entertained †) to be—often recur with redoubled violence on account of the ineffectual resistance made to them. “If,” says an ancient philosopher, “there have been, in every age, two or three persons so abject and insensible as to deny the existence of a God, they are to be regarded as people defective in the principal faculties belonging to human nature, as men whose eyes do not clearly perceive the light, and whose ears but imperfectly distinguish sounds, as a race of men unprofitable and useless, as a lion devoid of fierceness, as an ox without the ornaments of his forehead, or as a bird deprived of wings. Even in these men you may perceive somewhat of a consciousness of the Deity; for of that some traces will remain always ‡.” Even Epicurus, amidst all his absurdities,

* ————— Jovis omnia plena.

Virgil Eclog. iii. l. 60.

† Omni autem in re consensio omnium gentium lex naturæ putanda est.—Tusc. Quæst. lib. i. § 48.

‡ Maxim. Tyrii, Diff. i.

did not venture to deny altogether the * being of a Deity, though he refused to allow him the attributes that are necessarily derived from the proofs of his existence.

It must indeed be confessed, that the Grecian and Roman mythologies appeared to favour a multiplicity of deities; a thing nearly as inconsistent with reason as the denial of a Deity altogether. But it is nevertheless clear, that, in their systems, the inferior deities were by no means independent of one † supreme and governing power, to whom they were all subject, and by whom they were liable to be directed; so that in reality all the deities, save one, were only second causes or inferior agents. This, it is plain, was the popular opinion. But the philosophers, and even the poets, went several steps farther, and even denied the existence of those divinities, except as allegorical representations of the ‡ attributes of the Supreme Being, or as portions of the || essence of God, or emanations of the soul of the world, but still to be corporeal §, and liable to pain and suffering; qualities never attributed to the Deity himself.

Learning and science have also contributed to cause proper and worthy attributes to be imputed to the Deity. He is represented

* Lucret. lib. i. l. 83. &c. lib. vi. l. 57, &c.—Cicero. de Nat. Deorum, lib. i. § 157.

† Socrates and Plato always asserted, that there was one God only, the King and Father of all things.—Max. Tyr. Diff. i.—Homer's Mythology was of the same nature.—Ennius also delivered the same doctrine; and, as Cicero says, *assensu omnium*.

Aspice hoc sublime candens quem invocant omnes Jovem, illum vero et Jovem et dominatorem rerum et omnia motu regentem patrem divumque hominumque.—De Nat. Deor. l. ii. § 6.

‡ This seems in many places the system of Homer.—Maximus Tyrius appears to have been of the same opinion.—Diff. xxiii.

|| Diog. Laert. lib. vii. § 156.

§ Iliad, lib. v.

by the ancient writers, as ¹ irresistible in power—as infinite ² in knowledge—as ³ immutable and eternal in his nature—as ⁴ unsearchable in his counsels—as extending his providence ⁵ over all human affairs—as ⁶ just—as not the ⁷ author of evil, but as the ⁸ author of all good—and as listening to the prayers ⁹ of mortals here upon earth. Many other proper attributes were given to the Deity by the philosophers of old, especially the Stoics; but these are sufficient to shew the superiority of those ascribed by civilised nations over those of the uncultivated. The gods of the Scythians were thought to have delighted in ¹⁰ human sacrifices; the Gauls were ¹¹ of the same opinion, and made these sacrifices in the most cruel manner. The gods of the ¹² Mexicans were cloathed with terror and delighted in vengeance.

The nature and principles, or the doctrines, precepts, and prohibitions of religion, among civilised and learned people, have been always much superior in excellence to those of uncivilised and rude nations.

¹ Homer's Iliad. b. viii. b. xi. Odyss. b. iii. b. xvi.—Fragment. Lini de Suida. Fragn. ii.—Cicero de Legibus, lib. ii. § 25.

² Homer's Iliad, b. viii. b. xvii.—Fragn. Orphic. e Suida, Fragn. i.—Xenoph. Memor. Socrat. lib. i.—Epiet. book i. c. 14. § 1. 2.

³ Homer's Iliad, b. i.—Cicero de Nat. Deor. lib. i. § 63.

⁴ Homer's Iliad, b. i.—Fragn. Orphic. Suida, Fragn. i.

⁵ Iliad. b. xvii. b. xxiv.—Platon. de Legib. lib. 10.—Epietetus, book iii. ch. xxiv. § 6.—Max. Tyr. Diff. 5. & 29.—Marci Antonin. Oper. lib. ii. § 3.

⁶ Iliad. b. iv. b. xx. Odyss. b. i.

⁷ Odyss. b. i.—Epiet. b. i. c. 29. § 1. B. iii. c. 24. § 1.—Antonin. Oper. lib. ii. sect. 2.—Max. Tyr. Diff. 5, 25, 29.

⁸ Epietetus b. i. ch. 16. § 3. B. ii. ch. 23. § 1. B. iv. c. 1. § 12.

⁹ Homer's Iliad, b. ix. Odyss. b. viii.—Epietetus b. ii. ch. 18. § 45. B. iii. ch. 21. § 1.—Hesiod lib. i. l. 334. Lib. ii. l. 83.

¹⁰ Herodot. lib. iv.—Pauli Diaconi, lib. xiii.

¹¹ Cæsar de Bello Gallic. lib. vi. c. 9.—Diodori Sicul. lib. v.

¹² Robertson's Hist. of America.

To imitate the Deity was the precept of the Stoic philosophy; and, as they attributed perfection to the Divinity, an imitation of him could be no other than an universal recommendation of virtue. The idea, likewise, ² of virtue, among that sect of philosophers, though in some instances defective, was, in general, rational and just, and consonant to the doctrines of Christianity. Thus justice ³, truth ⁴, temperance ⁵, fortitude ⁶, benevolence ⁷, humility ⁸, submission ⁹ to the will of God, and trust in his ¹⁰ providence; patience ¹¹, industry ¹², contentment ¹³ with our situation in life, and even forgiveness ¹⁴ of our enemies,

² We are next to learn, says Epictetus, what the gods are; for such as they are found to be, such must he, who would please and obey them, to the utmost of his power, endeavour to be. If the Deity is faithful, he too must be faithful; if free, beneficent, and exalted, he must be free, beneficent, and exalted likewise, and in all his words and actions behave as an imitator of God.—Epict. book ii. ch. 14. § 2.—See also book ii. ch. 16. § 4.

³ Mrs. Carter, in her excellent translation of Epictetus, has frequently remarked the analogy between the precepts of the Stoic philosophy, and those of the gospel.

⁴ Hæc enim una Virtus omnium est domina & regina Virtutum.—Cicero. de Officiis, lib. iii.

Justice, says Andronicus Rhodius, comprehends every virtue; and, as it contains them all, it is perfectly and entirely virtue.—Ethicor. Nicom. l. v. c. 1.

⁵ Cicero. de Invent. lib. ii. sect. 241.—Ethicor. Nicom. l. iv. c. 9.—Marc. Anton. lib. iii.

⁶ De Invent. lib. ii. sect. 243.—Ethicor. Nicom. lib. iii. c. 13.

⁷ Cicero. de Officiis, lib. ii. De Invent. lib. ii.—Ethicor. Nicom. lib. iii. ch. 8.

⁸ Cicero. de Offic. lib. ii. De Amicitia.—Marc. Anton. l. iv. c. 23.

⁹ Epicteti Enchirid. sect. 33.

¹⁰ Platon. Phædon. Apolog. Socrat.—Epictet. b. i. c. 1. § 5. B. ii. c. 16. § 3. B. iv. c. 1. § 12.

¹¹ Epictet. b. i. c. 9. § 2. B. iii. c. 26. § 1.

¹² Idem. b. i. c. 6. § 5. B. 2. c. 16. § 2. B. iii. c. 8. § 2.

¹³ Idem. b. iv. c. 4. § 5.—Marc. Anton. lib. iv. § 24. Lib. 9. § 16, 17.

¹⁴ Idem. b. i. c. 1. § 5. B. i. c. 9. § 4. B. iv. c. 4. § 6. B. iv. c. 7. § 3.

¹⁵ Platon, Socrat. Apolog.—and Plutarch's account of the death of Phocion.

were

were all taught by the philosophers of antiquity, though indeed with far less clearness, energy, and assurance of the reward consequent upon them, than is done by revelation. The contrary vices, as injustice, falshood, want of moderation, cowardice, envy, pride and arrogance, distrust in providence, impatience, idleness, and dissatisfaction with our condition in life, were of course equally condemned.

The precepts of religion, in uncivilised countries, have always been much less pure and rational. The northern nations thought violence, rapine, and robbery, no crimes; but to die of old-age or disease deserved a severe ‡ punishment hereafter. The Tartars thought breach of their word, robbery, and murder, no crimes; but to put a knife into the fire, to lean against a whip, to strike a horse with his bridle, or to break one bone with another, were sins of the deepest dye. || The people of Formosa esteem it highly sinful, at certain seasons, to dress rather in * callico than in silk; to look for oysters, or to undertake any business, without consulting the song of birds. But drunkenness, profligacy, and debauchery, are not regarded by them as crimes. They even look upon the debauches of their children as agreeable to the gods.

The religion of some half-civilised people has likewise attributed a power of absolving crimes to external circumstances, and things merely accidental, and which have no regard to the regulation of behaviour in the present life. The people of some parts † of India believe, that it matters not how people have lived in the present life, so that after their deaths their bodies or ashes be but thrown into the river Ganges. The forms and ceremonies of religion are also influenced by learning and science. They are, I imagine, less

‡ Mallet's North. Antiq. transl. vol. i. p. 121.

|| Sp. of Laws, b. iv. c. 14.

* Collection of voyages that contributed to the establishment of the East India Company, vol. v. p. 192.

† Edifying Letters, Collect. xv.

numerous in such countries; but this admits of many ‡ exceptions. They are also, I believe, more simple and short, than among ignorant people; and more free from superstition, and have less efficacy attributed to them. Plato || thinks it a dishonour to the gods, to imagine them capable of being appeased by mere sacrifices—and Socrates himself paid little regard to them.—Since the introduction of learning into Europe, nothing has more scandalized the Romish church, than their absurd and impious pretences to obtain favour with the Almighty by any other means than the conduct and behaviour. The doctrine of indulgences was the immediate cause of the reformation; but this would scarcely have taken place, had it not been assisted by learning and knowledge, which served to dispel that cloud of superstition which then obscured and disgraced religion.

The ceremonials of polished nations have also, in general, been more rational and decent than those of uncivilised countries. The Romans and Athenians sacrificed principally, herbs, fruits, corn, wine, and the flesh of brute animals. The Scythians, Gauls, and Americans, with many other savage and barbarous nations, sacrificed their fellow-creatures.

A future state of existence, and of rewards and punishments after the present life, is a persuasion almost universal *, in every state of mankind, from the highest degree of civilisation to the extremest ignorance. But the ideas of such a state have been always more just and rational, and, I may add, more consonant to revealed truth, in the improved than uncultivated condition of mankind. Socrates was convinced of a future state from the principles of reason, and that the happiness or misery of that state depended upon † the behaviour of the person in the present life.

That

‡ The ceremonies both at Rome and Athens were very numerous.

|| De Legibus, lib. x.

* Robertson's America, vol. ii. p. 287.

† Et quum pene in manu jam mortiferum illud teneret poculum, locutus ita

That excellent man imagined, also, that the happiness of a future state would consist partly in the society of the good and just who have departed this life; though of this circumstance he did not pretend to any certain assurance: but that the soul of a good man should return to the gods, be united with them, and enjoy their society to all eternity, was a tenet of * whose truth he professed himself fully confident.

Virgil has adopted similar sentiments. He tells us, that people were rewarded, or punished, or placed in a middle state of purification, after death, according to their behaviour here upon earth; and that the rewards of the blessed consisted in manly pleasures, and the exercises of the mind and understanding. The terms, also, of admission into those happy mansions are laid down by that writer in a manner the most just and rational, consisting in † piety to the Gods, and moral behaviour towards man; whilst those who practised an ‡ opposite conduct, received the punishment of being condemned to the regions of misery and torment.

The

est ut non ad mortem trudi, verum in cœlum videretur ascendere. Ita enim censebat, itaque differuit, duas esse vias, duplicesque cursus animarum e corpore excedentium. Nam qui se humanis vitiis contaminassent, & se totos libidinibus dedidissent, quibus cæcati, velut domesticis vitiis atque flagitiis se inquinavissent, vel in republica violanda fraudes inexpiabiles concepissent; iis devium quoddam iter esse, seclusum a concilio deorum.—Qui autem se integros castosque servavissent, quibusque fuit minima cum corporibus contagio, seseque ab his semper sevocassent, essentque in corporibus humanis vitam imitati deorum, his ad illos a quibus essent profecti reditum facilem patere.—Tuscul. Quæst. lib. i. § 112.

* Platon. Apolog. Socratis.

† Hic manus ob patriam pugnando vulnera passi,
Quique sacerdotes casti dum vita manebat;
Quique pii vates & Phœbo digna locuti:
Inventas aut qui vitam excoluere per artes;
Quique sui memores alios fecere merendo.

Æneid. lib. vi. l. 660. & deinceps.

‡ Hic quibus invisi fratres dum vita manebat,
Pulsatusve parens, aut fraus innexa clienti:

Auf

The Scandinavian religion, on the other hand, admitted all who fell in battle to the hall of || Odin; whilst those who died a natural death, or by diseases or accidents, were condemned to a painful existence in another life, in a place of misery: it mattered not in what cause they fell, so that they died fighting bravely. It is remarkable, that this circumstance, when in support of a bad cause, is mentioned by § Virgil as an aggravation of the crime, and as a cause of punishment.

Literature and science have, I am persuaded, been of great service to religion, by introducing the propagation of it by argument and persuasion. Ignorance has been generally favourable to persecution; and it is in a great measure owing to the increase of learning, that those horrid cruelties that disgraced human nature, and Christianity more especially, begin now to be regarded almost universally with detestation and abhorrence.

Aut qui divitiis soli incubuere repertis,
Nec partem posuere suis; quæ maxima turba est:
Quique ob adulterium cæsi, quique arma secuti
Impia, nec veriti dominorum fallere dextras;
Inclusi pœnam expectant.

Æneid. lib. vi. l. 607. & deinceps.

|| This fanatic hope of going to the hall of Odin, derived additional force from the ignominy affixed to every kind of death, but such as was of a violent nature, and from the fear of being sent, after such an exit, into *Niflheim*. This was a place consisting of nine worlds, reserved for those who died of disease or old-age. *Hela* or Death there exercised her despotic power; her palace was Anguish, her table Famine, her waiters were Expectation and Delay; the threshold of her door was Precipice, her bed Leanness; she was livid, and ghastly pale; her very looks inspired horror.—Mallet's North. Antiquit. abr. vol. i. p. 121.

To go to war, to plunder, and to destroy, and surmount every obstacle that opposed their designs, the Icelanders deemed the surest path to immortality.—Letters on Iceland, p. 84.

§ See the line quoted above, note †.

C H A P. VI.

ON THE EFFECTS OF LUXURY AND REFINEMENT.

THE next, and indeed the last state under which I propose to consider mankind, is that of a high degree of refinement and dissipation, attended with luxury; which, indeed, in the usual course of human affairs, generally succeeds to that last treated.

S E C T. I. *Effects of luxury and refinement upon the temper and disposition.*

A high degree of luxury and refinement has, I apprehend, a considerable effect in increasing the sensibility, especially with regard to the passions. This it performs by several means.

Luxury, as I shall hereafter mention, is almost always accompanied by indolence; a circumstance that of itself conduces, by weakening the body, to increase the sensibility.

Luxury, likewise, is generally accompanied with warmth, or at least an equality of temperature; a thing that I have before observed tends to produce the same effect.

Luxury, also, as being generally unfavourable to health, and thereby rendering the body less robust and strong, contributes to increase the sensibility of the system.

But what chiefly, I apprehend, conduces hereto, is the habitual indulgence that is given to the passions by luxury. These, as well as the simple sensations, are capable of having their sensibility, or rather their irritability, greatly increased by use and practice; and the custom of giving a scope to our desires on every occasion, which is essential to luxury, is apt both to multiply our wishes, and

and our uneasiness at our inability to gratify them. Thus we see children, who are accustomed to be indulged on every occasion, have their wishes thereby much enlarged, and are apt to break out into violent sallies of anger, when the object of their desires cannot be procured to their expectations.

The same quality is equally perceivable at a more advanced period of life. It is well observed by a * great moralist, that he who fixes his attention on things always before him, will never have long cessations of anger; and, as nothing can occur more frequently than the objects of luxury, it must happen that the passions of its votaries must be subject to numerous excitements of this kind.

The petulance of those addicted to this indulgence has been † observed in all ages.

But although the sensibility, with respect to the passions, be increased by luxury, the sensations in this case are merely selfish, and bear little respect to the welfare or feelings of others, and, indeed, often to common humanity. The cruelties practised, in the most deliberate and protracted manner, upon some brute animals, the devoted victims of luxurious indulgence—which it would be disgusting as well as improper to repeat—evince this position very strongly, even in the present age. And in former times, the connection of luxury with cruelty, even towards the human species, appears to have been very remarkable.

Athenæus ‡ observes the cruelty of the people of Miletus, and of some of the Scythian nations, which, he tells us, was ascribed by the philosophers of antiquity to their luxury. The same qua-

* Rambler, No. 112.

† Horace remarks the passionate temper of some of these proficients in luxury.

—————Hic neque servis

Albuti senis exemplo dum munia didit

Sævus erit.

Horat. Sat. lib. ii. sat. 2.

‡ Athenæi, p. 524, 525.

lity, he observed, prevailed among || the Ionians, which he derives from the same cause. The Roman emperors * Vitellius and † Elagabalus, whilst they betrayed the most abject submission to their appetites, astonished the world at the same time with their multiplied inhumanities.

The same insensibility took place in the public, as well as private feelings. Athenæus tells us, that at the period of the battle of Chæronea, and the important but melancholy consequences to the liberty of Greece that attended it, a number of Athenian citizens, of some rank and distinction, were found so totally insensible to the interests, dangers, and distresses of their country, that they formed themselves into a convivial society, called the Sixty, and employed their time in feasting, drinking, and gaming, and in the sprightly and satirical exercises of wit and pleasantry. No public affairs, whatever, were considered by them as of consequence sufficient to interrupt their mirth, or disturb their tranquillity. They saw their countrymen arming for battle, and heard of their captivity and death with the utmost indifference. Events and actions of the most serious kind were treated by them with wantonness ‡ and levity.

The same effects took place amongst the Romans: Cato, in the speech ascribed to him by Sallust, reproaches his countrymen with valuing their § villas, statues, and pictures, at a higher rate than

|| Athenæi, p. 625.

* Suetonius says of Vitellius, that he was “*præcipue luxuriæ sævitiaque deditus.*”

Tacitus connects luxury and cruelty together, in the same manner, in the character of Otho. “*Otho luxu sævitia audacia reipublicæ exitiosior ducebatur.*”—Taciti Hist. l. ii. cap. 31.

† Elagabalus, as we are told by Lampridius, was a professed imitator of Nero, Otho, and Vitellius.

‡ Athenæi, p. 614.

§ Sed, per deos immortales, vos ego appello, qui semper domos, villas, tabulas vestras pluris quam rempublicam fecistis.—Bell. Catilin. Oratio Catonis.

the republic ; which * selfishness of character he attributes principally to the † luxury that prevailed among them.

The stupid insensibility of the emperor Vitellius, with respect to public affairs, even wherein his own life and safety were concerned, is described in striking terms by ‡ Tacitus :—" That emperor," says this great writer, " substituted the pleasures of luxury in the place of concern for public affairs, neither taking care to provide the necessary implements of war, nor to strengthen the attachment and discipline of his troops by public addresses or military exercise, nor, indeed, shewing himself at all in public ; but, hiding himself in the shades of his gardens, like those animals, to which, if food is supplied, they lie torpid and insensible, he there buried all regard for the past, present, and future, in equal oblivion."

The effects of a luxurious disposition in superseding public concern among the people at large, were visible in a remarkable manner at Rome. The people were there exasperated against Augustus, on account of some laws which he had made ; but upon his recalling Pylades the comedian, whom the jarring of some of the factions had driven out of the city, the discontent ceased. That people were more concerned for the interruption of their pleasures than the loss of their liberty.

But the effects of luxury in destroying public virtue are not only discernible in persons who had been previously corrupted in other respects, or in the caprice of a licentious rabble, but have been

* Neque mirum : ubi vos separatim sibi quisque consilium capitis, ubi domi voluptatibus, hic pecuniæ aut gratiæ servitis ; eo fit, ut impetus fiat in vacuam rempublicam.—Ibidem, Sallust.

† This probably gave occasion to the observation of Cato, that it was hard to save a city, where a fish was sold for more than an ox.

‡ —Curis luxum obtendebat : non parare arma ; non alloquio atque exercitio militem firmare, non in ore vulgi agere : sed umbraculis hortorum abditus, ut ignava animalia, quibus si cibum suggeras, jacent torpentque, præterita, instantia, futura, pari oblivione dimiserat.—Taciti Histor. lib. iii. cap. 36.

even exerted upon some characters in other respects highly worthy of admiration. Lucullus, the conqueror of Mithridates, and the subduer of Asia, after he had abandoned himself to luxury and effeminacy, never interested himself about public affairs, nor lent his assistance towards repressing the exorbitant power of Pompey. Antony, in like manner, seemed infatuated with the pleasures of Egypt, and tamely surrendered the empire of the world to one far his inferior in political as well as military conduct and influence.

A great writer of our own country has, in a striking, though somewhat ludicrous || manner, described the influence of a certain species of luxury in suppressing regard for decorum and dignity of character in private life.

Indolence, which is itself a species of luxury, is also a frequent attendant upon the other kinds of it. The connection between these is remarked by several of the Roman writers *, and was particularly observable among that people.

The connection of this with the other branches of luxury is sufficiently obvious.

Timidity is, I believe, another quality that usually accompanies luxury. The increase of sensibility, the diminution of strength, and the habit of indolence that luxury inspires, are all of them unfavourable to vigour and resolution of mind, which are mostly combined with steadiness, strength, and activity. The Romans,

|| Catius is ever moral, ever grave,
—Thinks who endures a knave is next a knave;
Save just at dinner—then prefers, no doubt,
A rogue with venison to a saint without.

Pope's Moral Essays, Epist. i.

* Multi mortales, dediti *ventri* atque *somno*, vitam sicuti peregrinantes, transiere.—Sallust. Bell. Catilin.—Quo magis pravitas eorum admiranda est, qui dediti corporis gaudiis per *luxum* atque *ignaviam* ætatem agunt.—Bell. Jugurth.—Ita injustissime luxuriâ atque ignaviâ, pessimæ artes, illis qui coluere eas, nihil efficiunt, rei publicæ innoxie cladi sunt.—Ibidem, Oratio Marii ad Quirites.

who,

who, at an early period of their history, found little difficulty in the conquest of most of the barbarous nations, afterwards became, by luxury, so degenerate, as to fall an easy prey to the people they had subdued, and to become an object, even to them, of the highest † contempt. The name of Roman was supposed to comprehend every thing ignoble, timid, avaricious, luxurious, and false; and, in short, every kind of vice. The luxury in which this people were involved, contributed, in a great measure, to this change of character.

Pride is another quality evidently excited by luxury. A man that sees constantly all the gratifications of appetite placed before him, without any effort or trouble of his own, is apt to fancy a superiority in himself to others, and to encourage high ideas of his own importance. The petulance, also, which luxury so naturally inspires, is itself a species of pride, and gratified in a similar manner.

For the reasons above given, those who are addicted to luxury have but little capacity for private ‡ friendship.

Friendship necessarily requires some sacrifices of ease and pleasure for the sake of others; but the luxurious man is wrapped up in himself, and has little consideration for any one else.

Sallust observes, that people addicted to this passion pass through life as travellers do through a country, that is, without any regard to, or connection with, the people that live in it. It was a remark of the elder Cato, that friendship could have no place with a man whose palate had a quicker sensation than his heart.

† Luitprand. Legat. apud Murator. Scriptor. Italic. vol. i. p. 1. p. 481.

‡ Ovid remarks the effects of the mercenary disposition that prevailed in his time, in subverting private friendship.

*In pretio pretium nunc est, dat census honores,
Census amicitias, pauper ubique jacet.*

Fastor. Ovidii, lib. i.

Fickleness ||, irresolution, and disgust, are also, I believe, among the passions that attend a life of luxury. This we see exemplified every day, and also experience that this kind of satiety *, which is produced by luxury, is, perhaps, one of the severest sufferings of which our nature is capable; and what frequently urges those who are necessitated to endure it to put an end to their miseries by a voluntary death.

Pure enjoyment, or the gratification of all desires—the point aimed at by so many—is mercifully withheld from the favourites of Providence, and only bestowed on those who are weak enough to desire it; and to whom it brings its own punishment.

In short, human life, rightly understood, is a scene of action, not of inactive enjoyment; and its duties, if properly observed, constitute its pleasures likewise; so wisely has Providence ordained, that the doing of our duty should have a present as well as future reward.

S E C T. II. *On the effects of luxury on the manners.*

First, with respect to the moral conduct.—From what has been said of the effects of luxury upon the temper and disposition, its influence upon the moral character may be deduced. Cruelty, pride, want of public spirit, indolence, and cowardice, are all moral defects, as well as peculiarities of disposition. But these do not compose the whole of the catalogue of the vices that are produced by luxury. Profusion is another vice intimately connected with

|| Tacitus remarks the mobility and unsteadiness of Vitellius. *Mobilitate ingenii quod palam abnuerat.*—Hist. lib. ii.—*Vitellium subitis offensis aut intempestivis blanditiis mutabilem, contemnebant, metuebantque.*—Ibidem, l. ii.

* Dormire priusquam somni cupido esset non famem, aut sitim, neque frigus, neque lassitudinem operiri, sed ea omnia luxu antecapere.—Sallust. Bell. Catilin.

luxury;

luxury ; and this as naturally gives birth to its † opposite, but not inconsistent, passions, avarice and rapacity. The admirable description of the Roman luxury, and consequent corruption, by Sallust, exhibits a striking picture of the combination of both these characters. He, with great probability, deduces the corruption of that people from the same source from which we, probably, may derive our own—the armies which that people had sent into Asia, and which Sylla, who had been their leader, had instructed in the admiration of the objects of luxury. It was there that the Roman people first lost their simplicity of character, and began to admire sculptures, pictures, vases, &c. To this soon succeeded the desire of acquiring these objects of their admiration, which led them to the plunder both of the public and of private persons, and to sacrilege and profanation ‡ of the Gods. Every vice that could disgrace human nature was the consequence of these excessive indulgences ; and, among these, an infinite number with which we are as yet happily unacquainted.

Luxury also produces particular effects upon the manners and behaviour. Besides rendering these more profligate and debauched,

† Incitabant præterea corrupti civitatis mores, quos pessima ac diversa inter se mala luxuria atque avaritia vexabant.—Sallust. Bell. Catilin.

Aurelius Victor says of Vitellius, “ Iste mente crudelis avarusque, cum profusione fuit.”—Epitome, cap. viii.

‡ Ibi primum insuevit exercitus populi Romani amare, potare ; signa, tabulas pictas, vasa cæлата mirari ; ea privatim ac publicè rapere ; delubra spoliare, sacra, profanaque omnia polluere.—Rapere, consumere, sua parvi pendere, aliena cupere ; pudorem, pudicitiam, divina atque humana promiscua, nihil pensi, neque moderati habere.—Sallust. Bell. Catil.

Eadem Asia domita multo etiam gravius afflixit mores, inutiliorque victoria illa hæreditas Attalo rege mortuo fuit. Tum etiam hæc emendi Romæ in auctionibus regiis verecundia exempta est, urbis anno sexcentesimo viceffimo sexto : mediis quinquaginta sex annis erudita civitate amare etiam, non solum admirari, opulentiam externam : immenso et Achaicæ victoriæ momento ad impellendos mores ; quæ et ipsa hoc intervallo, anno urbis sexcentesimo octavo parta, signa et tabulas pictas invexit, ne quid deesset.—Plinii Histor. Natur. l. xxxiii. c. xi.

in general, it causes them to be more variable and inconstant. Pliny notices, that luxury is naturally inclined to || variety; an observation which the experience of all ages has confirmed. Xerxes published a reward for the discovery of a * new pleasure; and the life of Elagabalus was † spent in pursuits of the same kind. Modern experience is entirely consonant hereto; since the passion for novelty has, in the present age, pervaded not only our manners and behaviour, but also our studies and literary taste, inso-
much that it is now, in a good measure, the standard of merit of every kind.

Another effect of luxury upon the manners and behaviour is, to reverse, in a great measure, the distinguishing and proper character of the sexes. The men assume manners suited only to females; and the women, on the other hand, affect to imitate the actions, dress, and behaviour of men.

Thus Columella ‡ remarks of the votaries of luxury in his time, that it was usual with them to affect the appearance and carriage of women. § Sallust makes a similar observation. ** Nero assumed

|| Multis hoc modis ut cætera omnia luxuria variavit.—Plinii Nat. Histor. l. xxxiii. cap. 1.

* Xerxes, opum regiarum ostentatione eximia eo usque luxuria gaudebat, ut edicto præmium ei proponeret, qui novum voluptatis genus reperisset.—Valer. Maxim. lib. ix. cap. 1.—Athenæi, p. 544.

† Nec erat ei ulla vita nisi exquirere novas voluptates.—Lampridii Vita Elagabal.

‡ Miramur gestus effœminatorum quod a natura sexum viris denegatum muliebri motu mentiantur, decipiantque oculos spectantium.—Columell. lib. i.

§ Viri pati muliebria.—Bell. Catilin.

** Eo progressus est uti neque suæ, neque aliorum pudicitiae parcens ad extremum amictus nubentium virginum specie, palam senatu, dote data, cunctis festa more celebrantibus in manum conveniret. Lecto ex omnibus prodigiosis.—Aurel. Victor de Cæsaribus, c. v.—Doryphoro liberto cui etiam sicut ipsi Sporus, ita ipse denupsit voces quoque et ejulatus vim patientium virginum imitatus.—Sueton. l. vi. c. 29.—Ipse per licita atque illicita fœdatus, nihil flagitii reliquerat, quo corruptior ageret, nisi paucos post dies, uni ex illo contaminatorum grege, cui nomen Pythagoræ

assumed the dress and behaviour of a woman, and was actually married to a man under that character. Elagabalus imitated the example of Nero in † this, as well as many other instances, and was twice married as a woman; first, to Aurelius Zoticus, one of his officers; and afterwards, to Hierocles, a slave. The women, on the other hand, were equally inclined to imitate the character and behaviour of men.

As the former degenerated into effeminacy, they advanced ‡ into boldness and immodesty. Sallust tells us, that it was commonly thought, that || several women were engaged in the Catilinarian conspiracy; by whose assistance Catiline expected to engage the slaves in his support, to set fire to the city, and either to bring their husbands into compliance with his measures, or to destroy them. Among these was the celebrated Sempronia, a woman who, although endued with every elegant, every captivating ac-

goræ fuit, in modum solennium conjugiorum denupsisset; inditum imperatori flammeum. Vifi auspices, dos et genialis torus, et faces nuptiales, cuncta denique spectata, quæ etiam in foemina nox operit.—Tacit. Annal. l. xv. c. 37.

† Lamprid. Vita Elagabali.—Dionis Cassii, l. lxxix.

‡ Viri pati muliebria; mulieres pudicitiam in propatulo habere.—Sallust. Bell. Catilin.

|| Ea tempestate plurimos cujusque generis homines adscivisse sibi dicitur, mulieres etiam aliquot quæ primò ingentes sumptus stupro corporis toleraverant: post, ubi ætas, tantummodo quæstui, neque luxuriæ modum fecerat, æs alienum grande conflaverant. Per eas Catilina credebat posse servitia urbana sollicitare, urbem incendere, viros earum, vel adjungere sibi, vel interficere. Sed in his erat Sempronia, quæ multa sæpe virilis audaciæ facinora commiserat. Hæc mulier genere atque formâ, præterea viro atque liberis, fati fortunata fuit: literis Græcis atque Latinis docta: psallere, saltare elegantius, quam necesse est probæ: multa alia quæ instrumenta luxuriæ sunt: sed ei cariora semper omnia, quam decus atque pudicitia fuit. Pecuniæ an famæ minus parceret, haud facile discerneres; lubidine sic accensa, ut sæpius peteret viros, quam peteretur, sed ea sæpe antehac fidem prodiderat, creditum abjuraverat, cædis conscia fuerat, luxuria atque inopia præceps abierat. Verum ingenium ejus haud absurdum: posse versus facere: jocum movere: sermone uti, vel modesto, vel molli, vel procaci. Prorsus multæ facetiæ, multusque lepos inerat.—Sallust. ibidem.

complishment

attention, or regard to the sentiments and opinions of others. Indeed, the improvement of the mind is an object little regarded by such people, and of consequence unlikely to be pursued by those whose natural talents might be best adapted to shine in this way. The unsteadiness, also, and love of variety, that is incident to people in this situation, is highly adverse to cultivation of the faculties, by its preventing any permanent attention being bestowed upon any subject, and that improvement made in it of which it is capable. This disposition, which prevails also in hot climates, is probably one cause of the small advances made among them in science.

The despotic government, also, and general corruption of manners, which are the natural consequences of luxury, are both very opposite to improvement of the mind and understanding, by checking freedom of thought and expression, and by imparting mean, selfish, and groveling ideas, such as are necessarily suggested by low and despicable appetites.

Yet farther; luxury is not only adverse to the improvement of the faculties of the understanding and genius in its remote consequences, but also in its immediate effects. That species of it, which consists in the indulgence of the palate, has a great effect in this way. High-seasoned meats, and animal diet, both of them contribute to keep the nerves constantly agitated and in a state of stimulation; which, by rendering the feelings in a good measure callous, obliterate the finer sensations. The effects of animal food in this way (which is the basis of luxurious indulgence) have been before remarked; and the greater quantity in which it is liable to be taken, from the incitements to appetite with which it is combined by * luxury, adds greatly to its noxious influence in every respect.

The bad consequences of luxury to taste and learning were notoriously exemplified in the Roman state. As that people advanced

* Athenæus remarks the bad effects of luxurious living upon the mind and understanding, in all the ways here alluded to.—Athenæi Casaubon. p. 157.

in refinement and corruption, science and taste declined. Instead of the elegant simplicity of the earlier periods, a love of profuse and glaring ornament was introduced, both with respect to their buildings and literary composition. This seems to have first taken place in the latter of these. The dialogues on oratory, ascribed to Tacitus, mention, that the oratorical style, then in esteem, was required to * be polished, short, and ornamented, and also replete with novelty. Argument and reason were held but in slight esteem, and indeed with cause; as the same author tells us, that the disputes were decided according to the caprice of power, without regard to justice or law. Even † Cicero himself was thought too rude, tedious, and prolix, and to want ornament and polish to fit him for the taste that then prevailed. A similar disposition was in vogue with regard to historical and poetical composition.

The nervous, concise, and elegant, though simple diction, so conspicuous in Sallust, Cæsar, and Tacitus, was abandoned for the redundant and affected style of Ammianus Marcellinus; who, in most other respects, was, however, well calculated for an historian. The like may be observed in poetry with regard to Clau-

* *Novis et exquisitis eloquentiæ itineribus opus est, per quæ orator fastidium aurium effugiat, utique apud eos judices qui vi aut potestate, non jure et legibus cognoscunt, et nec accipiunt tempora, sed constituunt: nec expectandum habent oratorem dum illi libeat de ipso negotio dicere, sed sæpe ultrò admonent, atque alio transgredientem revocant et festinare se testantur.*—Orator. cap. xix.

Præcurrit hoc tempore judex dicentem, et nisi aut cursu argumentorum, aut colore sententiarum, aut nitore et cultu descriptionum invitatus et corruptus est, averfatur dicentem.

Exigitur enim jam ab oratore etiam poeticus decor, non Attii aut Pacuvii veterino inquinatus, sed ex Horatii, et Virgilii et Lucani sacrario prolatus. Horum igitur auribus et judiciis obtemperans, nostrorum oratorum ætas pulchrior et ornatiores existit.—Ibid. cap. xx.

† *Lentus est in principiis, longus in narrationibus, otiosus circa excessus, tarde commovetur, rarò incalescit, pauci sensus optime et eum quodam lumine terminantur, nihil excerpere, nihil referre possis, et velut in ædificio firmus sane paries et duraturus, sed non satis expolitus et splendidus.*—Ibidem cap. xxii.

dian,

dian, whose poetical merit was greatly obscured by his affectation, and fondness for splendid expression and sentiment. The same holds equally of buildings and architecture. The Composite order of pillars came into use about this time, in which the proportions and ornaments of the other orders were combined, in order to unite as much variety and ornament as possible.

It may, perhaps, be made a matter of enquiry, why so many great writers, such as Tacitus, Seneca, Lucan, and others, should have appeared after the destruction of the Roman manners and liberty. But it should be considered, that even although the bulk of the people were immersed in luxury and vice, the education of the principal persons in the state continued for a long time the same with what it had been in the ages of liberty. Thrasea and Helvidius, Tacitus and Pliny, were brought up in the same manner as Cato and Cicero had been formerly. This circumstance contributed to uphold the taste, as well as the form of the state, after the bulk of its members had been immersed in the deepest corruption both of genius and manners.

The taste of the French people in the age of Louis XIV. in which luxury had attained its highest pitch, resembled much that of the Romans at the periods to which we here refer, being glaring, flashy, replete with tinsel ornament, and perpetually changing.

The same trifling taste that luxury introduced into works of literature is also conspicuous in the arts. Useful discoveries are neglected, but frivolous conveniences are multiplied to a great degree. Instruments are invented to serve the purposes of luxury or indolence, even with regard to the most common actions of life. These are now increased, in our own country, in such a manner as to form a fair subject of ridicule, were they not at the same time symptoms of the increase of luxury: a truly serious consideration. We might at first imagine, that the admiration of these trifles was no more than the indication of a puerile and trifling genius; but I am inclined to think, that the encouragement of such fol-

lies is of further bad consequence. It not only wastes the time and invention of the ingenious, but is also itself a great encouragement of corruption, by furnishing the materials and implements of luxury. Sallust * remarks, with great judgment, that the mind employed upon bad arts is ready for the reception of vices; and Mr. Pope † has, with great judgment, placed such useless and trifling contrivances among those which contribute to the decline both of manners and taste.

SECT. IV. *On the effects of luxury upon the laws and customs.*

Luxury, as it increases the sensibility with respect to the passions, conduces, I think, to render the laws cruel and unfeeling, and the punishments disproportioned to the offence. Thus the law of Eubulus ‡, at Athens, inflicted the penalty of death on any who should propose to apply the money destined for the support of the theatres to the public service. It is also probable, that many of the cruel punishments and tortures in use in the civil law, were partly suggested by luxury, as they were mostly constituted in the later periods, from which the civil law of Justinian was principally compiled. Perhaps luxury may have had some influence in rendering the laws of England more severe. Some of those which are the most objectionable in point of rigour, seem to have some reference to this cause. Thus it is capital to destroy fruit-trees in a garden, or even a cherry-tree in an orchard, or to break down the mound of a fish-pond, whereby any fish, of whatever value, may escape. To these might, perhaps, be added several of

* Animus imbutus malis artibus haud facile lubricinibus carebat.—Sallust. Bell. Catil.

† Essay on Man, Ep. ii. l. 43. &c.

‡ In Plut. Quæst. Platon. p. 1011.

the modern game-laws, which inflict a severe penalty on the doing, what seems to be, in many instances, a natural right, and this for the sake only of administering, by an act of tyranny, to the riotous pleasure of a few individuals.

The increase of luxury also causes the laws to be more bulky and voluminous.—It was a shrewd reply of the Spartan, who being asked, Why Lycurgus had made so few laws for the Lacedæmonians, answered, that, “To men of few words few laws were sufficient.” The same is, however, much more applicable in the present instance. Where men are moderate in their desires, few laws are necessary; but where the * former are both numerous and exorbitant, it requires the latter to be many in number, in order to guard against all the incroachments of vice and corruption, and to maintain even the forms of society. The Roman laws afford notable instances for the illustration of this principle. The original laws in that state, or at least the first regular digest of them, were so few as to be contained in twelve tables, and those so short, that the very † children were accustomed to learn them by heart. But these, in the latter empire, were increased to such a degree as to fill 2,000 volumes; a bulk scarcely possible to be perused in the space of human life. These, indeed, were abridged and arranged, in the succeeding codes and digests; but the glosses and comments that followed were scarcely less numerous.

The bad taste in writing, likewise introduced by luxury, had an ill effect upon the laws. Mr. Montesquieu ‡ remarks, that the style of the laws of the lower empire is tumid, florid, and ostentatious. The decrees of princes were made to resemble the compositions of rhetoricians. This is very || properly remarked to have

* It is a remark of Plato, quoted by Strabo, that where there are many laws, the people are of a contentious, quarrelsome disposition, and depraved in their manners.—Strabon. l. vi.

† Ut carmen necessarium.—Cicero. de Leg. l. ii.

‡ Spirit of Laws, b. xxix. ch. 16.

|| Principles of Penal Law.

been a great cause of their severity. "Poetical licence in the composition of laws leads to sanguinary consequences."

Luxury likewise, by the inconstancy and caprice it induces, is apt to make the laws mutable, frivolous, and ridiculous. The laws of Athens were perpetually changing; the same was the case with those of the Roman empire, especially in latter times, when regulated only by the levity or caprice of the prince. Some of these absurd laws seem to have had a more particular reference to luxury. Athenæus says, that it was death by the laws of Persia for any one, the king or his eldest son excepted, to drink the water of a certain stream. The Sybarites had a law, that whosoever discovered a new dish or delicacy, should have the exclusive * privilege of tasting it for a year afterwards. The same people banished by law † all noisy trades, however useful to society, from their city, and even cocks, who by their crowing disturbed their luxurious repose.

Luxury also appears to have some influence upon customs. The uneasiness and irresolution, natural to people in this condition of life, inspire a desire of change, from the hope of attaining some new pleasure from variety. Customs therefore, among a people of this description, are not likely to be stable and permanent. The rapid mutability of fashions, which has been remarkable in all ages among luxurious communities, and which is itself a species of luxury, is an instance. This instability, however, is mostly observable in moderate climates, where the indulgence of the passions is combined with some degree of activity; since, where the heat is excessive, indolence prevails to such a degree as to render changes of manners or customs very uncommon.

One custom or practice, that has been pretty generally observed to be produced by luxury, is that which is generally called keeping bad hours, or the setting-up great part or the whole of the

* Athenæi, l. xii. p. 121.

† Ibidem. p. 118.

night, and using the day-time for the season of repose. Athenæus † mentions some of the Greek proficients in luxury, who made it their boast never to have seen the sun rise or set, as the night was the only time when they were not at rest. Similar exactly was the case at Rome, where the same idle boast was the glory of the profligates, towards the close || of the republic. Festus likewise mentions, that, as luxury § advanced, the time of meals became later, the ancient time of supper being then the time of dinner; a circumstance which is, at present, verified in the customs of our own country, and is no small indication of the increase of luxury and corruption.

S E C T. V. *On the effects of luxury upon the form of government.*

The disposition and temper have been noticed by some of the most accurate observers of human nature, as having a great influence in producing a form of government suitable to them. Thus Hippocrates remarks, that the indolent and cowardly disposition of the Asiatics naturally led to despotism, and the activity and valour of the Europeans to a free government. A similar influence may, with equal truth, be ascribed to the moral character. The experience of all ages has demonstrated, that various forms of government are adapted to various forms and degrees of public virtue.

Of those qualities that deviate from virtue, none perhaps have had greater influence in this way than luxury; an evil, it must be confessed, which it is easier to condemn * than to avoid.

† Athenæi, lib. vi. p. 273.

|| At nosmet ipsos ducimus fortunatos quod nec orientem solem videmus nec occidentem.—Columell. de Re Rust. lib. i.

§ Cæna apud antiquos dicebatur quod nunc est prandium.—Festi. lib. iii.

Scenfas Sabini cœnas vocabant quæ autem nunc prandia sunt.—Fest. lib. 17.

* —accusare aliquanto facilius est, quam vitare.—Valer. Maxim. lib. ix.

I shall now offer some remarks on the influence of this quality upon the different kinds of government.

A republican government of the democratical kind is utterly averse to luxury in all its branches and degrees. The love of equality is the principle, and indeed the very constitution of such a government. The laws incident thereto provide for an equality in point of rank and authority, and have for their object to render * fortunes equal in like manner. In a state therefore thus appointed, luxury can have no place, as that is solely founded on inequality of fortune; which enables those who possess a larger share to enjoy the conveniences procured by the labour of others.

The love of frugality is another principle of this government. The equality of the people requires that they should all partake alike of the same advantages, and consequently taste the same pleasures and the same hopes; which can only be done by a general frugality.

This quality limits the desire of acquiring, to what is necessary for a man's self or his family. What is superfluous, is devoted to the state. Thus the generals and commanders, in the early ages of Rome, when they returned from an expedition—not loaded, like the moderns, with the plunder of their country, but with the spoils of an enemy—applied the treasure thus acquired to the public service, and were content with their own private fortune. Cincinnatus returned to the plough after he had resigned the dictatorship; Fabricius returned, in like manner, from the Consulate; and Manius Curius, who could contemn

“ Riches, though offered from the hand of † kings,”

deemed that a sufficient portion of land that was competent to provide for his support.

The abolition of money had the same effect at Sparta, joined

* See the laws of Solon, Lycurgus, Romulus, and Plato de Legibus.

† Milton's Paradise Regained, b. ii. l. 449.

with

with the equal division of landed property. Frugality was there unavoidable, and equality followed of course, where money was unknown: luxury, therefore, could have no place in such a state, as being altogether opposite to its principles and constitution.

It is not, indeed, to be denied, that luxury has found its way into republican governments, and particularly the two last mentioned. But it should be observed, that this has been always attended with the subversion of the principles and constitution of the state. The Spartan government declined, from the introduction of money, in the time of Agis; which brought with it all the evils attendant on luxury: and the vast sums acquired by private persons, in the later times of the Roman republic, and the corruption necessarily attendant, laid the basis of that subordination and dependence, which afterwards took place among them.

Nothing, in short, can be imagined more adverse to the genius of a republic than luxury. The greatest virtue, in such a constitution, is a supereminent regard for the welfare of the state, and a preference of that to any private gratification. But public spirit is, as has been before remarked, inconsistent with luxury; which is a passion selfish in the extreme, and, when indulged, swallows up all the others. The Athenians, a little before their subjection to the Macedonian yoke, afford a notable instance of this effect of luxury. At that important crisis, the honourable distinctions with them were, a habit of gaming, and of giving costly feasts and entertainments *. The sordid gratification of the palate became the study, and exercised the invention of the inhabitants; whilst the schools of philosophy, and of the ancient sages, that inspired the genius of Sophocles and Plato, were in vain open for instruction, and indeed—as similar institutions are at present in our own country, which does but too much resemble the state of Athens in these particulars—held in contempt, as fitted

* Athenæi, lib. xiv. p. 614.

only for the formal and recluse, and beneath the notice of the man of business, destined to the exalted and active spheres of life. One instance of their depravity, about this period, is particularly noted by Athenæus *, which was, that they conferred the freedom of their city—the highest mark of respect shewn to kings and potentates—upon two men, whose only merit was, that their father had been eminent in the art of cookery.

Luxury, however, though contrary to the spirit of republican government altogether, is not alike injurious to all. Several circumstances may concur, which render it more or less hurtful to one than another. Thus I am apt to believe that luxury is more prejudicial to a state of small, than to one of large extent, as there is reason to apprehend, that the body of the people would be sooner corrupted by it.

This is probably the reason why the Swiss cantons—which, though aristocratical in form, are of so enlarged a kind, as to approach in their nature and principles to democracies—have enacted such strict sumptuary laws, and are so anxious to enforce them. This was probably one of the reasons why luxury did not destroy Rome so quickly as it did Athens. In the former, the ill effects of luxury, in the capital, were counteracted, or at least retarded, by some remains of virtue in the rest of the state; whereas at Athens, when the city became corrupt the state was undone. Indeed, at Rome, when the contagion became general, it was more irretrievably ruined, as the body of corruption was so much larger.

The same rule holds, nearly, with respect to the political power or influence of any particular state. By how much the less this is, the more caution is requisite in attending to the manners of the people. Republican states may be ruined two ways, either by foreign force or internal usurpation. By so much weaker as any

* Athenæi, lib. iii. p. 119.

state is, it is so much more liable to the former of these events. Thus Athens fell under the Macedonian dominion, before any private citizen could acquire power or influence sufficient to seize the government; whilst Rome, being much more strong and powerful, was liable only to fall from an internal cause. Hence small and weak republics are subject to a greater number of dangers from luxury than large or potent ones, and of course, it is necessary for them to be more attentive in guarding against its progress. It is highly worthy the notice of the political observer, that the immediate effects of luxury and corruption upon republican governments, often nearly resemble those that accompany the increase or confirmation of liberty.

The ancient Cretan * government, in the time of Xenophon and Plato, was (as I have elsewhere observed) founded upon a model similar to that of Sparta, which inclined rather to an aristocratical form. The people, during the time the old constitution lasted, were moderate and virtuous, and especially remarkable for the attachment they bore to their country. In the time of Polybius †, their government had become purely democratical, and at that period the manners of the people were grown to the last degree vicious and corrupt. Exactly the same change took place in the Carthaginian republic, when on the eve of its ruin; which last is imputed by Polybius, in a great measure, to this alteration in the nature of the government.

A change of a similar kind took place at Athens in the decline of her fortune. The court of Areopagus—an admirable expedient for tempering the precipitation, rashness, and caprice of the democracy—was abolished, and the people left without any check upon their proceedings; which soon became as irregular and inconstant as violent and impetuous: and the consequence was, that

* Aristotle, lib. ii. c. 10. De republic.—Strabon, lib. x.

† B. vi. extr. 3.

the best and ablest men in the state were rejected from public employments, and none put into office but the flattering demagogues, who were themselves liable to be displaced on the most frivolous and absurd occasions. The same unsteadiness prevented the allies of that people having any confidence in them, and encouraged their enemies, as their friendship or enmity were equally uncertain and wavering; and it was really by taking advantage of this versatility of conduct, that Philip gained those advantages that afterwards rendered him master of Greece.

The same artifice was employed at Rome, towards the close of the republic. Marius, Pompey, and Cæsar all attained, in their turns, the supreme power, by affecting to enlarge the privileges of the people, and to depress the aristocratical part of the constitution.

Nor are the causes of this alteration in the nature of the government, which at first sight appear so remote from the end in which it usually terminates, difficult to be traced. People * as they become more corrupt, grow more impatient under the restraint of law. One great motive of obedience in a republic is virtue, and that species of it especially called public spirit, which

* It is manifest, that the long continuance of prosperity must give birth to costly and luxurious manners, and that the minds of men will be heated with ambitious contests, and become too eager and aspiring in the pursuit of dignities; and as these evils are continually increased, the desire of power and rule, and the imagined ignominy of remaining in a subject state, will first begin to work the ruin of the republic; arrogance and luxury will afterwards advance it; and, in the end, the change will be completed by the people, when the avarice of some is found to injure and oppress them, and the ambition of others swells their vanity, and poisons them with flattering hopes. For then, being inflamed with rage, and following only the dictates of their passions, they no longer will submit to any controul, or be contented with an equal share in the administration, in conjunction with their rulers, but will draw to themselves the intire sovereignty and supreme direction of all affairs. When this is done, the government will assume, indeed, the fairest of all names, that of a free and popular state, but will, in truth, be the greatest of all evils, the government of the multitude.—Hampton's Polybius, b. vi. extr. 3.

excites people to obey the laws from the principles of justice and public utility. But in a corrupt society these principles * are no farther considered than as they may serve as specious pretences to cover ambition or lust of power. Fear is with such a people the sole motive of restraint, and, as a republican form of government is not possessed of a power so coercive as some others, of consequence a greater loose is given to the irregularity and outrage of abandoned or unprincipled individuals. But such a democracy, however it may assume the semblance of freedom, is in reality a corrupt anarchy only, or the strife among a number of ambitious leaders, which of them shall first seize the liberty and property of his fellow-citizens. When a decided superiority is obtained, the state naturally falls into abject submission, for which it had been before prepared, by the irregular and outrageous, though weakening, paroxysm of mutiny and revenge.

This change from a regular government, to that of the multitude, and from that to an absolute dominion, is finely described by Polybius; whose almost prophetic genius expressly foretold what afterwards took place at Rome. "Those who had acquired the greatest wealth," says that eminent writer, "being eager likewise to possess the sovereign rule, and not able to obtain it by their own strength and virtue, endeavoured to draw the people to their side, scattering among them, with profusion, all their riches, and employing every method of corruption, till by degrees they had taught them to fix their whole attention on the gifts wherewith they were sustained, and rendered the people's avidity subservient to the views of their own wild ambition. And thus the frame of the democracy was dissolved, and gave place to the rule of violence and force. For, when once the people are accustomed to be fed without any cost or labour, and to derive all their means of subsistence from the wealth of the other citizens, if at this time some

* See Spirit of Laws, b. viii. ch. 2. On the corruption of the principles of democracy.

bold and enterprising leader should arise, whose poverty has shut him out from all the honours of the state, then commences the government of the multitude; who run together in tumultuous assemblies, and are hurried into every kind of violence, assassinations, banishments, and division of lands, till, being reduced at last to a state of savage anarchy, they once more find a master and a monarch, and submit themselves to arbitrary * sway."

Luxury is contrary to the spirit of an aristocratical government, I mean here an enlarged and good one, as well as it is to a democratical. The spirit of moderation is the proper virtue of an aristocracy; and this supplies the place, and indeed nearly resembles the spirit, of equality in a popular state: but this spirit of moderation is utterly inconsistent with luxury; whose essence, as it were, consists in the rivalry for superiority. Were luxury, therefore, to take place among the rich or governing party in an aristocratical state, it would subvert that seeming equality which the constitution requires should be preserved between the nobles and the people, and that real equality which they ought to preserve amongst one another. Every one would be vying with his neighbour: intrigues would be formed: the people oppressed to supply their extravagance: the nobles themselves would degenerate into a set of despotic tyrants: and a government thus constituted would, perhaps, be the most grievous and intolerable of any. The sumptuary laws of Venice and Genoa are founded upon this principle †. These are established, not from a regard to the preservation of the virtue of the people, but to prevent intrigue and innovation: which is evidenced in this instance, that those who are too contemptible to merit regard, may be profuse without danger—such as the common courtezans—whilst those who contribute to their extravagance are obliged to pass their lives in the most private man-

* Polyb. b. vi. extr. 1.

† Sp. of Laws, b. v. ch. 8.

ner. Luxury, therefore, in an aristocratical government, is only permitted to that rank of people who have least ability to take advantage of such a liberty.

Luxury is more adapted to the nature of a monarchy. As there are, in that form of government, various ranks and degrees of people, which are necessary to be preserved and kept up by outward shew and appearance, this requires that the expences of each rank should vary one from the other, and that luxury should increase as the rank of the person rises, from the peasant to the prince upon the throne. But the luxury proper for a monarchy is such as chiefly respects vanity and personal distinction; and which is connected with emulation, and somewhat of an active life. That kind of it which is connected with sensual gratification, which is always apt to produce meanness and cowardice, is equally injurious to a monarchy as to a republic. The principle of a monarchy is honour, and a sense of personal dignity and elevation of mind, combined with a military spirit and desire of distinction. But how are these qualities to be expected to be found amongst a people whose sole study is their private gratification; who compass * sea and land to find materials for indulgence of their appetites; and who have rendered themselves so effeminate, by their luxurious excesses, as to make even their sex doubtful? Will these support the military virtues; will these maintain the rank and glory of a monarchy, upon which its very existence is founded? The inference is plain.

Is there then no form of government that is congenial to luxury, that vice that has spread so widely, and whose influence is daily increasing? Despotism is of this kind, which is connected with luxury by the reciprocal obligation of produce and support. Luxury is the parent of despotism, and despotism as naturally engenders luxury.

The eastern nations, into whose constitutions despotism is, as it

* *Vescendi causa terra marique omnia exquirere.*—Sallust. Bell. Catilin.

were,

were, naturally interwoven, have in all ages been famous for their luxury and corruption. The sacred writers † describe them in this manner; and many denunciations of the vengeance of the Almighty against the Jews were delivered on account of their adopting the corruptions of these people.

Xenophon ‡ speaks in particular terms of the corrupt manners, as well as of the luxury and effeminacy, of the Asiatics; and a striking picture of the profligate enjoyments of the Babylonians is given by || Quintus Curtius. Hippocrates * describes the Asiatics in general, as luxurious, timid, and effeminate; and this part of their character he points out as the principal cause of the despotic government that has uniformly prevailed among them. Asia, indeed, appears to have been the great emporium, both of luxury and despotism, to the rest of the world, from the earliest ages to the present time.

The introduction of the Persian gold and luxuries into Greece, particularly into Athens and Sparta, debased their manners, and prepared the way for the Macedonian yoke. Sallust, I have before observed, ascribes the profuse luxury, and consequent corruption, of the Romans, to the contagion imported from that country; and Livy § derives it from the same origin, but dates it from an earlier

† Isaiah iii. 16.—Ezekiel xvi.

‡ Cyropæd. l. viii.

|| Lib. v.

* De Aeribus, Aquis, et Locis, cap. xxxix.

§ *Luxuriæ enim peregrinæ origo ab exercitu Asiatico inuenta in urbem est. In primum lectos æratos, vestem stragulam preciosam, plagulas, & alia textilia, & quæ tum magnificæ suppellectilis habebantur, monopodia & abacos, Romam advexerunt. Tum psaltriæ sambucis triæque, & convivialia ludionum oblectamenta addita epulis: epulæ quoque ipsæ, & cura & sumptu majore apparari cæptæ: tum coquus, vilissimum antiquis mancipium, & æstimatione & usu, in pretio esse; & quod ministerium fuerat ars haberi cæpta. Vix tamen illa, quæ tum conspiciebantur, semina erant futuræ luxuriæ.—Livii, lib. xxxix.*

Livy is here speaking of the luxuries brought from Asia by the army of Scipio Asiaticus, above an hundred years before Sylla led his army into that country.

period. How far the late vast importations of Asiatic wealth from the East Indies—much of which, there is reason to believe, was acquired by means not very different from those employed by the Romans—may conduce to alter the form of government in this country, is a serious consideration.

This effect of luxury, in producing an absolute government, was well understood by those who meant to support or erect a tyrannical dominion over others. Cyrus, in order to keep the Lydians in subjection, enacted, that they should practise only mean and infamous professions, and such as were subservient to luxury. Dionysius Halicarnassensis tells us, that Aristodemus, the tyrant of Cumæ, “in order that no manly or generous spirit might spring up in the rest of the citizens, resolved to effeminate, by education, the whole race of the youth then bringing up in the city; and with that view he suppressed the schools, and the exercise of arms, and changed the manner of living before in use among the youth: for he ordered the boys to wear their hair long, like girls; to dye it yellow; to curl it, and to fasten these curls to cauls of network; to wear embroidered vests, that reached down to their feet, and over these thin and soft mantles, and to pass their lives in the shade; and when they went to the schools—where dancing, playing upon the flute, and such kinds of musical instruments, were taught—their governesses attended them with umbrellas and fans, washed them with their own hands when they bathed, and supplied them with combs, alabaster pots of precious ointment, and looking-glasses. By this education he continued to enervate the minds of the youth, till they had passed † their twentieth year.” The same policy was adopted by Augustus Cæsar ||. When it was proposed to him by the senate to revive the ancient

† Spelman's Dionys. Halic. b. vii. ch. 9.

|| Dion. Cass. lib. liv.—Pylades the comedian told Augustus, that it was very suitable to his intentions and plan of government, that the attention of the people should be bestowed on players and dancers.—Ibidem, Dion. Cass.

Roman discipline with regard to morals, he eluded their requests, being sensible that a corrupt and luxurious system of manners was best suited to the government he wished to introduce. Tiberius, for a similar reason, discouraged the attempts of the Ædiles to reform the luxury * of the table : that wicked, but discerning, tyrant plainly discovered how suitable the corruption of manners was to the support of tyranny.

The Romans, likewise, used the same means to strengthen their dominion over those whom they had conquered. Tacitus † tells us, that the implements and inticements of luxury were introduced by them among the Britons, in order, by corrupting their manners, to rivet the chains of slavery.

The means by which luxury and corruption produce this form of government hardly need to be explained. Freedom requires for its enjoyment, as well as its preservation, an active, vigorous, and courageous mind ; principles of equity and justice imprinted upon the heart ; and, above all, a spirit of equality ‡ and frugality in the conduct : all which luxury tends to subvert and destroy. Liberty, without these requisites, would probably be the most dreadful scourge that could be inflicted upon human nature. When every vice is increasing, the coercive power that should restrain them is diminished, and the very securities || of freedom are sure to be converted into an asylum for the wicked, and the consequent destruc-

* Tacit. Annal. l. iii. c. 52, 53, 54.

† Paulatimque discessum ad delinimenta vitiorum, porticus et balnea, et convivorum elegantiam : idque apud imperitos humanitas vocabatur, cum pars servitutis esset.—Taciti Agricol. cap. xxi.

‡ We must lay it down as a certain truth, that a corrupt state, that had been subjected to the dominion of a prince, can never become free, though that prince and his whole race should be extinguished.—This corruption and inaptitude to live in freedom arises from an inequality in the state.—Machiavel's Political Discourses on the First Decad of Livy, chap. xviii.

|| The Porcian law at Rome was in a good measure the cause of the proscriptions, by the protection it afforded.

tion of the good. Despotism, in such a case, though in the end it increases the evil, is, perhaps, the only remedy the vices of men will admit.

When the more generous and noble principles upon which men act, such as virtue, moderation, and honour, are subverted, no motive of restraint but fear can remain. This is the principle of despotism; and its simplicity and uniformity are not ill suited to the timid and indolent character * inspired by luxury.

The means by which despotism, in its turn, produces luxury and corruption, are equally plain.

First, it is the interest of the prince that they should prevail; and, in general, the example originates with him.

A man, whom his senses every moment inform that he is every thing, and his subjects nothing, is of course lazy, voluptuous, and ignorant. He has no need to deliberate, to contrive, or to debate; he has only to will.

But, independently of the immediate influence or example of the prince, the very nature of the government itself tends in a high degree to produce this effect. Luxury is, indeed, almost the only employment left, in despotic states, for those whose rank is superior to gaining a livelihood by labour. The jealousy and ignorance attendant upon a despotic government, as well as its simplicity, prevent any application to public affairs; and mental employments are discouraged on the same account. What then is left to employ the time, but the indulgence of the passions and appetites? This abuse, therefore, of servitude, as it is properly styled by Mr. Montesquieu †, is natural to this kind of government.

The danger, likewise, in which every individual daily lives, under a despotic administration, is a strong persuasive to every one to make what advantage he can of the present moment.

* Epicurus taught, that the fear of punishment was the only motive that prevented the commission of bad actions.—Plutarch's *Morals*.

† *Sp. of Laws*, b. vii. ch. 4.

It was said of a Persian nobleman, that he never went from the presence of the prince without satisfying himself that his head was still on his shoulders. A government that would justify the propriety of such an examination, would naturally tend to render every man desirous to enjoy the present instant, and to crowd into it as many pleasures as possible, in order to make amends, by such accumulation, for the shortness or uncertainty of their continuance : pleasure, therefore, with them, is not, as with us, a matter of relaxation or amusement, but constitutes the business and employment of life.

A people in the condition above described, enervated by luxury, and subdued by despotism, appear at first sight to have no hopes of redress. The mutual support which despotism and corruption of manners afford to one another, prevent any effectual reform of either. Commotions, indeed, and disturbances, frequently take place ; but these agitations are far from resembling the exertions or † emotions of a free people : they are either the agonies of nature under her sufferings, or the corrupt contest of violence and rapacity, to decide which party shall first seize the power of tyrannizing over the lives and property of their fellow-creatures.

Yet even this situation of mankind, though highly deplorable, is not always entirely desperate. Corruption and tyranny, when augmented to a certain degree, sometimes accomplish their own destruction ; and the afflicted people, in such a case, may have grounds to hope for relief, even from the excess of their sufferings, and, as Milton expresses it, “ take resolution from despair.”—Idleness, profligacy, and corruption of manners, with the other vices attendant upon luxury, naturally tend to impair the force of a state, and diminish its political consequence. The expence, likewise, with which luxury is necessarily accompanied, tends to impoverish the government, and thereby prevents that influence that is afforded by riches.

† Fergusson's History of Civil Society, part vi. sect. 6.

These circumstances encourage some of the neighbouring countries to invade that whose situation is as above described; and in general the resistance is but moderate. As the principles of virtue and honour are banished from such a society, the people are seldom zealous in its defence. Fear, which is with them the principle of action, is always of a treacherous as well as slavish nature; and, where the impending danger does not threaten, is as likely to induce its votaries to fight against their country, as in its defence, especially as they are not impelled by motives of interest—as there is no one who loves the prince or his government. A conquest over a people in such a situation may prove the greatest happiness they can receive. If the means of acquiring the superiority do not prove absolutely destructive to the vanquished, it may, by the introduction of new principles, manners, and laws, destroy the pernicious prejudices that had before prevailed, and, as Mr. Montesquieu expresses it, lay the nation under a better genius.

This was the state of the Roman empire, in a good measure, when invaded by the barbarians. The Romans, after conquering the world, soon began to corrupt it; and this corruption, as appears from the passage of Tacitus above quoted, was one of the political measures which they employed to hold those whom they had subdued in subjection. To a people so degraded and debased, a change of government must, in a political light, be a piece* of good fortune, especially as the greatest part of these conquerors did

* I live more happily here (in Scythia) said a Greek, than ever I did under the Roman government; for they who live with the Scythians, if they can endure the fatigues of war, have nothing else to molest them: they enjoy their possessions undisturbed; whereas you are continually a prey to foreign enemies and a bad government; you are forbidden to carry arms in your own defence; you suffer from the remissness and ill conduct of those who are appointed to protect you: the evils of peace are even worse than those of war; no punishment is ever inflicted on the powerful and rich; no mercy is shewn to the poor. Although your constitutions were wisely devised, yet, in the management of corrupted men, their effects are pernicious.—Taken from the *Excerpta de Legationibus*.

not substitute one arbitrary † government in the room of another ; but, wherever they came, made an entire change, and, in general, established not only a free government, but struck at the root of nearly all the laws, manners, and customs that had either been the cause, or were any wise connected with the corruptions which they removed.

The period, indeed, during which this change was accomplished, was, from the ferocity of the invading people, and the resistance they met, highly bloody and calamitous : in a moral light, we must condemn the cruelty, whilst we admire the fortitude, of these invaders ; and in that of humanity, pity the condition of the sufferers. But we must at the same time confess, that no remedy but one so harsh was sufficiently powerful to eradicate so inveterate and deep-seated a malady ; and revere, at the same time, the wisdom and kindness, as well as justice, of Providence, that employed the same instrument for the reformation, as well as for the punishment, of mankind.

This, however, although the most usual, is not the only method whereby a change of this kind may possibly be effected. A revolution is sometimes produced, in states highly corrupt, from an internal as well as an external cause : but the destruction of the political constitution is in this instance, as well as the former, necessarily a previous step to its recovery. If it revive at all, it must spring anew from its own ashes. The seeds sown by despotism and corruption must, like those mentioned in the gospel, die before they can quicken ; they must perish by their own abuse before they can spring up anew, or bear those fruits which constitute the honour and felicity of human nature. This event despotism and corruption, when left to themselves, and increased to a great de-

† In the North, says Mr. Montesquieu, were formed those valiant people who sallied forth, and deserted their countries, to destroy tyrants and slaves, and to teach men, that, nature having made them equal, reason could not render them dependent, except where it was necessary to their happiness.—*Sp. of Laws*, b. xvii. ch. 5.

gree, sometimes accomplish. National poverty, and the suppression of commerce—which are the necessary consequences of the excess of despotism and corruption—are, as * Mr. Ferguson observes, the instruments that concur to this great end. When the tyrant has neither riches to allure, nor the subject property sufficient to form a local attachment, the bond of despotism is loosed, and the slave is set at liberty. The distinctions of rank and eminence are no more. The tyrant, now divested of power, is regarded only as a fellow-creature, whose influence extends no farther than his personal character or abilities will raise him to distinction.

These happy revolutions, however, do not always accompany the subversion of tyranny. Where the rights of the people, thus roused into exertion, are attended with the favourable concurrence of climate, and other circumstances not naturally productive of despotism, liberty may be the consequence; but in general, throughout the East, the subversion of one despotism has been only the prelude to the erection of another. The abuses have, indeed, received a partial and temporary redress; but the power to repeat them, which is the root of the evil, has remained untouched. In some instances, however, where local circumstances have given encouragement, the vexations of tyranny have overcome the desire of settlement. The mountains of Scythia and Armenia, and the deserts adjacent to the Caspian and Euxine Seas, maintain a people, not indeed in a perfect state of freedom, but whose livelihood consists in the plunder of those who are reduced to greater slavery than themselves, and often in the depredations they commit on their former masters.

S E C T. VI. *Effects of luxury upon religion.*

It is not to be questioned, that every species of vice must be injurious to religion in general; and, as luxury bears this stamp, it

* History of Civil Society, p. vi. sect. 6.

cannot

cannot but be accounted prejudicial thereto. But different kinds of vice affect the interests of religion in a different manner; and the peculiar effects of this species are here the object of inquiry. A high degree of luxury and dissipation appears to me nearly connected with irreligion and contempt of the Gods. * Athenæus mentions, that the Cretans, when they abandoned their frugal and temperate way of living, and gave themselves up to luxury and excess, became profane, sacrilegious, and disposed to despise the objects of religion. Epicurus himself, the great patron of sensual enjoyment, is thought by Cicero scarcely to have believed the existence of a Deity, and only to have admitted divinities into his system of philosophy, from fear of † offending the Athenians. Epictetus complains, that Epicurus had inspired the youth with a contempt of the Gods; and Dionysius ‡ Halicarnassensis, and Minutius || Felix, looked upon the tenets of this sect of philosophers as atheistical.

Similar doctrines have been maintained in the present age, by several writers, whose systems of morality were nearly consonant to that of Epicurus.

The numbers, however, even among the votaries of pleasure, of those who have absolutely denied the existence of a Deity, are not very considerable; but their system is scarcely less corrupt on that account, as they ascribe to him such unworthy attributes. Lucretius §, after his master Epicurus, describes the Almighty as devoid of

* Athenæi, l. xii. p. 523.

† Quamquam video nonnullis videri Epicurum, ne in offensionem Atheniensium caderet, verbis reliquisse Deos, re sustulisse.—De Natur. Deorum, l. i. § 116.

‡ B. ii. ch. 67.

|| Octav. c. xix.

§ Omnis enim per se Divum natura necess' est
Immortali ævo summa cum pace fruatur,
Semota ab nostris rebus, sejunctaque longe;
Nam privata dolore omni, privata periclis,

of all concern for human affairs, as regardless of the merit of good actions, and not liable to be displeased by evil. This opinion is by Plato † justly accounted equally dishonourable to the gods with an absolute denial of their existence. Such notions were highly agreeable to the ideas of happiness which the Epicureans had adopted, as consisting in ease and indolence; and of consequence such qualities were likely to be imputed by them to the Deity. In this instance, as well as the foregoing, Epicurus has been followed by several modern philosophers.

The materiality of the Deity is likewise an attribute very natural to be ascribed to him by the partizans of luxury. It was the opinion of Epicurus, whose intention was to debase and degrade the Divinity as much as possible, and has been revived in later times in our own country.

The doctrines and principles both of religion and morality, have been equally perverted by luxury and corruption. I do not here pretend to recite all the instances wherein this has taken place, but shall mention some examples.

One of these, which has been adopted in later times, was, that there is * nothing good or evil but what is prohibited or recommended by positive laws; and, that the fear of punishment was the only restraining motive upon the human mind. Both these were the tenets of Epicurus *, and have, since his time, been adopted by his followers. The absurdity of the former of these

*Ipse suis pollens opibus, nihil indiga nostri;
Nec bene promeritis capitur nec tangitur ira.*

Lucretii, lib. i. l. 57, & deinceps.

A similar idea of the nature of the gods is ascribed to the Epicureans by Cicero.

Epicurus monogrammos Deos & nihil agentes commentus est.—De Natur. Deor. lib. ii. § 85.

† *De Legibus, lib. x.*

* *Plutarch's Morals. Against Colotes the Epicurean.*

doctrines

doctrines has been finely touched by † Mr. Montesquieu; and its impiety, and evil consequences to morality, were noted in early periods. Another doctrine of the most pernicious consequence to morality and religion, and which is immediately suggested by luxury, is, that pleasure, and that of the corporeal kind, is the supreme good; and that the goodness of every thing else is measured by this standard. This was the opinion of Epicurus ‡ formerly; and, on this account, amongst others, he was justly reproached with corrupting both morals and religion.

It is highly probable that St. Paul alluded to the tenets of this sect of philosophers, when he recites ¶ and so forcibly censures the maxim so much in vogue among them, to indulge the present moment, and spend it in sensual pleasure; particularly that of eating, to which the Epicureans § were especially addicted. The bad effects of these and the other tenets of the Epicureans, upon morality and religion in general, are very forcibly pointed out and exposed by several of the ancient writers. Polybius * tells us, that the disbelief of a future state, which was one of the notions propagated by them, had corrupted the Greeks to such a degree, that no security could ensure any confidence in their honesty.

† Sp. of Laws, book i. ch. 1.

‡ Hoc Epicurus in voluptate ponit; quod summum bonum esse vult summumque malum dolorem.—Ciceron. de finib. bon. & mali, lib. i. § 45.

Philosophos Epicureos omnes res quæ sunt homini expetendæ voluptate metiri.—Cicer. in Pisonem, § 54.—Vide etiam Athenæi, p. 103, 546.—Epictet. book i. ch. 20. § 1.

¶ Let us eat and drink, for to-morrow we die. Be not deceived, evil communications corrupt good manners.—1 Corinthians, ch. xv.

Epictetus uses nearly the same expressions, when speaking of the Epicureans. “If these things be so, lie down and sleep, and lead the life of which you think yourself worthy, that of a mere reptile. Eat and drink, and satisfy your passion for women, and ease yourself, and snore.”—Epictetus, book ii. ch. 20.

§ Athenæi, lib. iii. p. 101.

* Polyb. book vi. extr. 3. ch. 2.

Epictetus censures the same sect † for having taught the youth to condemn the gods, to despise justice, to have no sense of shame, and to ‡ disregard the filial and paternal obligations, and those which unite men to one another. || Theft was with them no otherwise an object of disapprobation, than from its being liable to discovery. In short, these principles, as they encourage all sorts of crimes, are justly pronounced by Epictetus to be equally destructive to public and private virtue.

The ancient Romans were particularly sensible of the evil consequences of those doctrines of the Epicureans that respected religion. Fabritius wished Pyrrhus and the Samnites to hold the notions of this sect concerning the gods, as long as they were at war with the Romans. Their ideas concerning the nature of the Deity, and the utility of religion to the well-being and prosperity of the state, were directly opposite to those embraced by these philosophers. “Dionysius * Halicarnassensis attributes most of the misfortunes that befel the republic, to the impiety or contempt of the gods that prevailed at that time; and expressly mentions, that the virtue upon which the Romans chiefly valued themselves, which was the rigid observance of public faith, was in a great measure owing to the religious ceremonies instituted by * Numa, which, the same author observes, could not fail in time to communicate the same fidelity to the behaviour of private men.” These sentiments tended much to inspire that people with an abhorrence of that sect of philosophy that gave mean ideas of the deities, and represented them as unconcerned about the affairs of men.

Dionysius §, on that account, will not allow the Epicureans the name of philosophers; and mentions them with the greatest

† Epictet. book ii. ch. 20. § 4.

‡ Ibid. book iii. ch. 7. § 1.

|| Ibid. book iii. ch. 7. § 2.

* Dionys. Halic. book ii. ch. 75. — Livii passim. — Valer. Maxim. ad init.

§ Book ii. ch. 67.

contempt and indignation. The propagation of this sect, at Rome, which took place towards the close of the republic, is remarked by Mr. Montesquieu ‡ to have been one great cause of its decline, by tending to eradicate those impressions of religion which the wisdom of their founders had imprinted; and which, while they subsisted, had been the best security for the rectitude of their actions and conduct. In confirmation of this opinion, we may quote the authority of Machiavel, who was himself no bigot to religion.

“It is necessary,” * says that writer, “for the rulers of all states, whether kingdoms or commonwealths, who would preserve their governments firm and intire, to take care, above all things, that religion is held in the highest veneration, and its ceremonies, at all times, uncorrupted and inviolable; for there is no surer prospect of impending ruin in any state, than to see divine † worship neglected or despised;” and adds, “that the introduction of religion by Numa, was one of the chief causes that contributed towards the Roman grandeur and felicity.” Luxury and corruption have produced almost exactly the same effects in modern as in ancient times, upon the principles of religion. Epicurus is nearly as fashionable a guide, both in theory and practice, in our country as in Greece, among the votaries of luxury; and Lucretius furnishes both arguments and faith, or rather the want of it, with equal success in England and France, as formerly in Greece and Italy.

How far the disregard that is at present paid to the externals of religion in our own country, may justify the observation of Machiavel before quoted, time will determine.

The immortality of the soul, and a future state of rewards and punishments after the present life, is a doctrine which, however

‡ Grandeur and Declension of the Roman Empire, ch. x.

* Polit. Discourses on the first Decad of Livy, book i. ch. 11.

† Epicurus paid no respect to the gods, by offering sacrifices, &c.—Athenæi, lib. iv. p. 179.

general among mankind, collectively considered, has been, I believe, always attempted to be discredited by the partizans of luxury and corruption.

The disciples of * Epicurus formerly affected to ridicule all the notions that respected a future life, though I think it is doubtful if even they could entirely eradicate the apprehension of it from their minds. Lucretius, even when he affects to ridicule, and professes to extirpate it, seems to confess, that the consciousness of it is † natural to mankind, and apt to recur at those times when the chastisement

* Et metus ille foras præceps Acheruntis agendus
Funditus, humanam qui vitam turbat ab imo.

Lucretii, lib. iii. l. 37, 38.

Claudicat Ingenium, delirat Linguaque, Mensque,
Omnia deficiunt, atque uno tempore defunt.

Ergo dissolvi quoque convenit omnem Animai
Naturam, ceu fumus in altas aeris auras :

Quandoquidem gigni pariter, pariterque videmus
Crescere, & (ut docui) simul ævo fessa fatiscit.

Ibidem, l. 254, &c.

† Nam quod sæpe homines morbos magis esse timendos,
Infamemque ferunt Vitam, quam Tartara lethi,
Et se scire Animi naturam sanguinis esse,
Nec prorsum quicquam nostræ rationis egere :
Hinc licet advertas animum, magis omnia laudis
Aut etiam Venti, si fert ita forte voluntas,
Jactari causa, quam quod res ipsa probetur :
Extorres iidem patria, longeque fugati
Conspectu ex hominum, sædati crimine turpi,
Omnibus ærumnis affecti denique vivunt :
Et quocunque tamen miseri venere, parentant,
Et nigras maectant pecudes, & Manibus divis
Inferias mittunt : multoque in rebus acerbis
Acrius advertunt animos ad Religionem.

chastisement of adversity had abated the pride and intoxication of prosperity, and restored men to themselves: a strong presumption, had it been rightly considered, that the reflections that occurred at those cool moments were founded in truth and nature. Modern infidelity has, in this instance, as well as many others, followed the steps of the ancient Epicureans; and the extinction of the soul after death is now as much received as a tenet, among the advocates for infidelity in the present age †, as ever it was by Metrodorus or Lucretius.

Religious persecution, we might perhaps imagine, would be but little practised by a set of men who make so slight of any tenets or doctrines, and who endeavour to supplant its obligations and destroy those ties by which the influence of religion is preserved among mankind. But I believe it does not appear from experience, that those who most affected to despise religion, have been the most tolerant in their principles. Epicurus himself, as

*Quò magis in dubiis hominem spectare periculis
Convenit, adversisque in rebus noscere qui sit.
Nam veræ voces tum demum pectore ab imo
Ejiciuntur, & eripitur persona, manet res.*

Lucretii, lib. iii. l. 41. & deinceps.

† If it were necessary to stain our paper with quotations of this tendency, from modern authors, numerous instances might be adduced. But as a specimen of the general opinion, one passage may be sufficient, which is selected from an elegiac poem supposed to be written by an author of the highest rank, and published in a book of French verses, intitled, *Oeuvres de Philosophe de Saint Souci*.—The general tendency of the elegy is to discredit the notion of the immortality of the soul.

*De l'avenir, cher Keith, jugeons par le passé,
Comme avant que je fusse il n'avoit point pensé,
De meme apres ma mort, quand toutes mes parties
Par la corruption seront aneanties,
Par un meme destin il ne pensera plus,
Non rien n'est plus certain; soyons en convaincu.*

we are told by Cicero *, did not scruple to abuse and vilify those who differed with him in philosophical opinions, even of small moment; and Aristophanes, who professedly scoffed at all religion †, was the most forward publicly to traduce Socrates for blaspheming the gods of his country. The city of Athens, at the time of the trial of Socrates, was at the highest pitch of moral corruption, and publicly countenanced Aristophanes, whose character I have just before described. Yet this people did not hesitate to condemn Socrates to death on account of his religious opinions.

The Roman history affords similar examples. It by no means appears that Nero, Domitian, or Maximin, were persecutors of the Christians, from any zeal or attachment they bore towards their own religion. They were more probably actuated by their own innate disposition to cruelty, by their despotic pride and indignation at the presumption of any to hold tenets that were not authorised by them, or to acknowledge any power or authority that was not derived from that source. It is also not improbable, that the very virtues of the persecuted have been a motive for additional cruelty, on account of the tacit reproach which the contrast between their respective conduct threw upon their enemies; and, like the Athenians with regard to ‡ Socrates, they chose to destroy that virtue which they were not inclined to imitate.

Those

* Epicurus Aristotelem vexavit contumeliosissime; Phædoni Socratico turpissime maledixerit, Metrodori sodalis sui fratrem Timocratem, quia nescio quid in philosophiâ dissentiret, totis voluminibus conciderit, in Democritum ipsum, quem secutus est, fuerit ingratus. Nausiphanem magistrum suum a quo nihil didicerat tam male acceperit.—Cicer. de Natur. Deorum, lib. i. § 128, 129.

The same character of the sect is given by Plutarch in his *Morals*, in his tract against Colotes the Epicurean, and by Athenæus, lib. iii. p. 103.

† Aristophanes procured all the foreign deities to be banished from Athens.—Cicer. de Legib. lib. ii. § 60.

‡ If you put me to death, said Socrates to the Athenians, a more heavy punishment shall fall upon you, immediately after my decease, than what you now inflict upon

Those emperors, whose regard, even for the religion they professed, appears to have been the most sincere, and whose moral character was the most worthy of imitation, appear to have been the least inclined to persecution. Trajan seems to have been averse to the † severities that in his time were inflicted upon the Christians. Hadrian * appears to have still more discountenanced these rigorous proceedings. Antoninus || Pius was well inclined to the Christians; and Marcus ‡ Aurelius published an edict in their favour, which is still extant. Those emperors who had least reason to believe that their moral character would suffer by the comparison, were least jealous of the followers of this religion.

upon me. You do this, imagining to free yourselves from giving an account of your lives; but I tell you beforehand, in this you will be mistaken. If you think that destroying such persons is an effectual way to free yourselves from the censure that follows an ill-spent life, you make a very wrong judgment; for this method is impracticable, as well as dishonest: but another, which is most laudable, as well as easy to be pursued, lies open to you; and that is, not to make away with others who reproach you for your past conduct, but to amend your lives, and put it out of their power to give you this uneasiness.—Plato's Apology for Socrates.

Truth, virtue, and integrity of life, says Maximus Tyrius, in his vindication of Socrates for making no defence before his judges, require other judges, other laws, and other patrons, than he met with. The qualities above-mentioned have, in general, some reverence and respect paid to them. But as no regard was paid to them at Athens, at that time, of what service would the pleading of them have been to Socrates? Had he been inclined to preserve his life, he must have pursued another course. He must, in his defence, have been less solicitous to prove his own innocence, than to avoid offending his accusers in particular, and the people in general, by condemning their vices. He must have laid aside the character of a rigid and inflexible censor of manners, who paid no court to any by flattery, submission, or servile insinuations, but who freely examined the manners, fortunes, way of life, disposition, and vices of every man, in every capacity.—Maxim. Tyrius, Dissert. xxxix.

† Plinii, Epistol. lib. x. ep. 98.

* Xiphilin. Epitome Dion. lib. lxx.

|| Ibidem Xiphilini.

‡ Eusebii, lib. iv. cap. 13.

It is observable, even in modern times, that the favourers of irreligion and atheism are not less zealous in the propagation of their tenets, than the advocates of religion and morality. One would fancy, as Mr. Addison observes, very properly, that these men, though they fall short in every other respect of those who make a profession of religion, would at least outshine them in this particular, and be exempt from that single fault, which seems to grow out of the * imprudent fervors of religion. But so it is, that infidelity and immorality are propagated with as much fierceness and contention, wrath and indignation, as if the safety and happiness of mankind depended upon it.

This inconsistency of conduct is a strong presumption that these people do not themselves believe entirely the tenets they espouse. A man who is suspicious that the opinions he wishes to believe are ill-founded, is desirous to gain numbers to his side, as they serve to strengthen his voluntary deception. Every profelyte is like a new argument for the establishment of his faith. It makes him believe that his principles carry conviction with them, and are the more likely to be true, when he finds they are conformable to the reason of others, as well as to his own.

Such, among many others, are the effects of luxury and corruption upon mankind, with respect to the articles to which this chapter refers. If the reasoning herein contained be just, they will be found injurious to human nature in every shape and capacity, and equally so to the intellectual as to the moral qualifications.

* Spectator, No. 185.

I HAVE thus finished the intended work; which, with all due respect, I submit to the candour of the public. I cannot, however, dismiss the reader, without requesting one favour a second time; which is, that the title of the book may be considered, before any definitive sentence is passed upon it. I am fully sensible that it is defective in many respects, as well as very probably erroneous in others. But the former of these faults will be palliated by the consideration, that I offer it to the world only under the appellation of Remarks, and by no means as a compleat body of reasoning on the effects and influence of such important agents. I have, indeed, endeavoured to arrange my thoughts somewhat in a methodical order, for the sake of regularity and perspicuity; but by no means wish to have it inferred from thence, that I mean to deliver it as a system of philosophy on so extensive and important a branch of ethics. I must beg leave, however, to repeat, as an apology, if not excuse, for the errors as well as defects in the present work, that the subject has not been professedly taken up before by any writer, at least to my knowledge, though it has been obliquely touched by several eminent authors.



F I N I S.

I HAVE

I N D E X

T O

R E M A R K S O N C L I M A T E .

* * The NUMERAL FIGURES denote, that the Words to which they are affixed, are the SUBJECT of the particular Book, of the SIX into which the Work is divided, that is represented by the Figure. The Letters from A to F signify, that the Words distinguished by them belong to one of the SIX CLASSES, expressed in the Title-page, which are considered as subject to the INFLUENCE of CLIMATE, &c. Thus, CLIMATE has I. after it; WAY OF LIFE, VI. : DISPOSITION, A; MANNERS AND BEHAVIOUR, B; INTELLECTS, C; LAWS AND CUSTOMS, D; FORM OF GOVERNMENT, E; and RELIGION, F.

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